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ABSTRACT

"National History Day" is a history education program that promotes the study of civics and citizenship among the nation's students and teachers. Students in grades 6-12 are encouraged to participate in the annual student competition on "Rights and Responsibilities in History," and teachers are challenged to develop lessons to restore the study of the nation's heritage to a prominent place in the classroom. This two part sourcebook is intended to assist teachers in using "Our Documents" in their classrooms. Part 1 explains the two main components of "Our Documents," the student competition and the teacher competition. Part 2 contains the list of 100 milestone documents, an explanation of key themes in the documents, a timeline placing the documents in a chronological perspective, lesson plans, classroom exercises, a longer essay putting several of the key documents into historical perspective, and a bibliography of works related to the documents. (BT)

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Our Documents: A National Initiative on American History, Civics, and Service. Teacher Sourcebook.

Maria Mazzenga, Editor

Maryland Univ., College Park. National History Day.
National Archives and Records Administration, Washington, DC.
Corporation for National and Community Service, Washington, DC.
USA Freedom Corps, Washington, DC.

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We the People

Our Documents

Teacher Sourcebook

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America has never been united by blood or birth or soil. We are bound by ideals that move us beyond our backgrounds, lift us above our interests and teach us what it means to be citizens. Every child must be taught these principles. Every citizen must uphold them. And every immigrant, by embracing these ideals, makes our country more, not less, American.

—President George W. Bush
January 20, 2001

Our Documents:

we the people
in order to form a more perfect union
discover...investigate...

www.ourdocuments.gov

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It is the purpose of *Our Documents: A National Initiative on American History, Civics, and Service*, to promote public understanding of how rights and responsibilities have taken shape over time. *Our Documents* is an initiative of National History Day and The National Archives and Records Administration in cooperation with the Corporation for National and Community Service and the USA Freedom Corps.

A National Initiative on American History, Civics, and Service

participate

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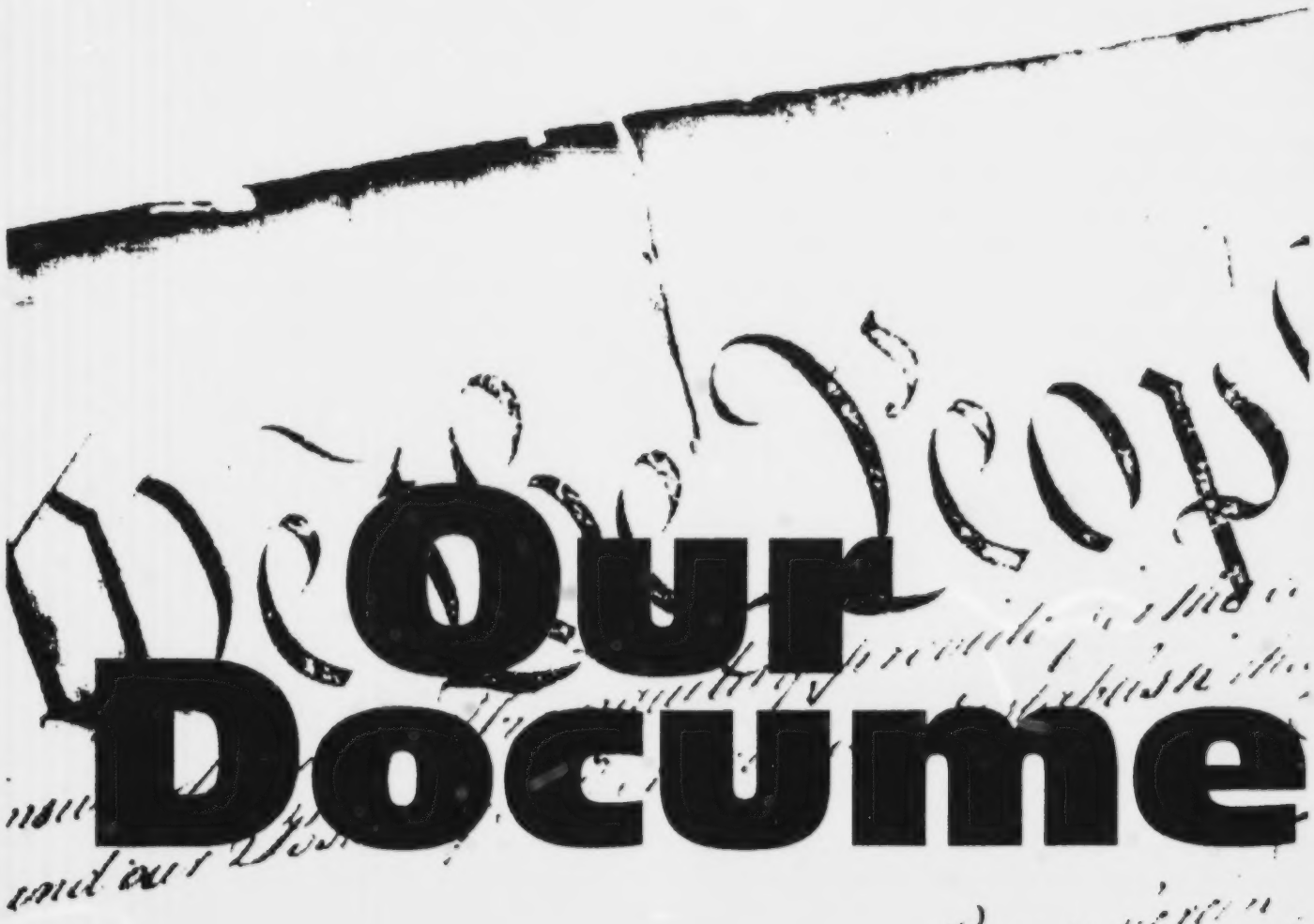
National History Day is a nationally acclaimed history education program that is promoting the study of civics and citizenship among the nation's students and teachers. National History Day is encouraging students in grades 6-12 to participate in its annual student competition on ***Rights and Responsibilities in History*** and is challenging teachers to develop lessons to restore the study of our nation's heritage to a prominent place in the classroom. To find out more, go to **www.NationalHistoryDay.org**.

The National Archives and Records Administration is a federal agency that provides ready access to essential government records that document the rights of American citizens, the actions of Federal officials, and the national experience. Through the *National Archives Experience*, the National Archives is developing new, interactive educational programs to give people a deeper understanding of the contemporary importance and value of our country's recorded history. To find out more, go to **www.archives.gov**.

The Corporation for National and Community Service is a federal agency that engages Americans of all ages and backgrounds in service to help strengthen communities through AmeriCorps, Senior Corps and Learn and Serve America. To find out more, go to **www.cns.gov**.

USA Freedom Corps is a White House Coordinating Council created by President George W. Bush to help foster a culture of service, citizenship and responsibility in America's communities. To find out more, go to **www.usafreedomcorps.gov**.



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A National Initiative on American History, Civics, and Service

Teacher Sourcebook

The **Our Documents: A National Initiative on American History, Civics, and Service ■ Teacher Sourcebook** is sponsored by NEWSWEEK Education Programs, with additional support from the John M. Olin Foundation.

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Introduction:

Our Documents: A National

Resolved, That these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved. That it is expedient forthwith to take the most effectual measures for forming foreign Alliances. That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation.

Resolution presented by Richard Henry Lee to the Second Continental Congress, June 7, 1776.

Initiative on American History, Civics, and Service

When the tall, fiery Virginian, Richard Henry Lee, proposed that the Second Continental Congress adopt the simple Resolution to the left, could he have known where it would take the people of the land we now call the United States of America? That subsequent to his Resolution a young Thomas Jefferson would articulate the long list of grievances against the King of Britain we today embrace as our Declaration of Independence? That a Constitution elaborating an ambitious system of government and the basic political rights of a wide-ranging assortment of individuals would soon come to bind the rebellious colonies together? That this government and its people would define and redefine their political relationships as their nation expanded in population and geography? That the relatively tiny America of Lee's time would grow from a land of farmers into a postindustrial society that increasingly found itself immersed in the affairs of the world beyond national borders?

It is the purpose of Our Documents: A National Initiative on American History, Civics, and Service, sponsored by the National Archives and Records Administration, National History Day, the Corporation for National and Community Service and the USA Freedom Corps to promote public exploration of how our understandings of rights and responsibilities have changed over time.

Mr. Lee probably did not foresee such a future for the nation he helped bring into being, though he continued to shape the affairs of the new country well after it had established its independence. Among other achievements, Lee helped secure passage of the Northwest Ordinance in 1787, which expanded the size of the fledgling nation, but he opposed the strong central government created by the Constitution, preferring a looser association among the newly united states. By the time of Richard Henry Lee's death in 1794, however, the nation's political complexion had changed from the days of revolution. A people with a different set of beliefs about rights, responsibilities, and republican democracy than Lee had come to prevail over the new government.

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Such was and would be the pattern of historical change in the nation to this very day: ideas about the nation, its people, and their rights and responsibilities change repeatedly over time, even as they remain inspired by the core set of principles outlined by the founders in the nation's earliest years.

With the Lee Resolution, then, began a new nation and a conversation about the rights and responsibilities of a people who envision themselves as united by the civic ideals expressed in the Declaration of Independence, the Constitution, and the Bill of Rights. These founding documents contain the earliest expression of our nation's political ideals: the right of individuals to liberty and the pursuit of happiness, the emphasis on equal opportunity and justice, and a commitment to democratic republicanism and the general welfare of the citizenry. Most Americans' notions of public rights and responsibilities still reflect these civic ideals, first expressed more than 200 years ago.

It is the purpose of *Our Documents: A National Initiative on American History, Civics, and Service*, an initiative of the National Archives and Records Administration, National History Day, the Corporation for National and Community Service, and the USA Freedom Corps, to promote public exploration of how our understanding of rights and responsibilities have changed over time. Such an exploration of the nation's civic legacy will, we hope, encourage national reflection on the meanings of citizenship in a democratic republic.

The *Our Documents* initiative revolves around 100 milestone documents drawn from thousands of public laws, Supreme Court decisions, inaugural speeches, treaties, constitutional amendments, and other national artifacts that have shaped us as a people. These documents reflect the diversity, the unity, and the commitment of our nation to continue the work of forming "a more perfect union." The goal of this initiative is to engage students, teachers, parents, and members of the general public in reading these historical documents, reflecting upon them, discussing them, and considering which they deem the most significant.

This two-part sourcebook is intended to assist teachers in using *Our Documents* in their classrooms. Part One explains the two main components of *Our Documents*, the student competition and the teacher competition. Part Two, contains the list of 100 milestone documents, an explanation of key themes in the documents, a timeline putting the documents in chronological perspective, lesson plans and classroom exercises, a longer essay putting several of the key documents into historical perspective, and a bibliography of works related to the documents. Please visit our Web site at www.ourdocuments.gov to view the 100 milestone documents in their entirety and for additional information related to *Our Documents*. By inviting teachers and students to participate in the *Our Documents* initiative, we hope to keep alive the conversation started by the nation's founders on national rights and responsibilities.

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Part One:

Understanding *Our Documents*
A Competition for Students

For more than 25 years National History Day, a nonprofit history education program dedicated to improving the way history is taught and learned, has promoted systemic educational reform related to the teaching and learning of history in America's schools. The year-long NHD program engages students in grades 6-12 in the process of discovery and interpretation of historical topics. Student participants produce dramatic performances, imaginative exhibits, multimedia documentaries, and research papers based on research related to an annual theme. These projects are then evaluated at local, state, and national competitions. Through participation in the competitions, students not only gain a deeper understanding of history, but also improve their research, presentation, and critical thinking skills. With programs in 49 states and the District of Columbia, NHD engages all types of students—public, private, parochial and homeschool students; urban, suburban, and rural. More than 700,000 students participate in the NHD program yearly.

The partnership is especially fitting this year, as the aim of *Our Documents* is to further appreciation for our nation's civic legacy through study of key documents related to rights and responsibilities, and this year's NHD theme is Rights and Responsibilities in History.

In joining with the National Archives and Records Administration, the Corporation for National and Community Service, and the USA Freedom Corps in the *Our Documents* Initiative this year, NHD hopes to expand appreciation of our nation's history among students, as well as promote excellent teaching in the nation's schools. The partnership is especially fitting this year, as the aim of *Our Documents* is to further appreciation for our nation's civic legacy through study of key documents related to rights and responsibilities, and this year's NHD theme is *Rights and Responsibilities in History*. The availability of the key documents made possible by this partnership thus opens opportunities to create exceptionally strong projects this year.

As in past years, any student in grades 6-12 may enter the National History Day contest in either the Junior (grades 6-8) or Senior (grades 9-12) divisions. Winners of the National History Day Contest/Our Documents Competition will be announced at the national contest held at the University of Maryland at College Park, June 15-19, 2003. For more information on National History Day, visit the NHD Web site at **www.nationalhistoryday.org**.

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Teaching *Our Documents*
A Lesson Competition for Educators

For the first time, NHD is offering an opportunity for history, social studies, civics, and government teachers to develop document-based lesson plans for national awards and distribution. *Teaching Our Documents: A Lesson Competition for Educators* invites teachers to develop and test a classroom lesson focusing on one or several of the 100 Milestone Documents in United States history. Lessons should engage students in a meaningful examination of the documents within their historical context. Awards will be announced at the annual National History Day national competition June 15-19, 2003, at the University of Maryland at College Park. Teachers should adhere to the following guidelines in preparing for the *Our Documents* teacher competition.

Contest Rules:

I. PARTICIPATION

- Participation is open to history, social studies, civics, and government teachers in public, private, parochial, and home schools.
- Participation is open to teachers in upper elementary grades (grades 4-6), and middle and high schools.
- Participating teachers must engage their students in "Understanding *Our Documents*: Rights and Responsibilities in History," National History Day's 2003 student program theme.

II. LESSON CONTENT

- ***Our Documents* Connection**

Your lesson should focus on a teaching activity related to your choice of one or several of the 100 Milestone Documents, and should explain its connection to one of the *Our Documents* themes below (themes are discussed further on pages 13-15):

— The Nation and the Wider World
— Individuals and Society
— State and Federal Power
— Commerce and Regulation

- **Cross-curricular Connections**

You should include a statement explaining your lesson's relationship to history as well as classes in other disciplines. (e.g., How can this lesson be used in classes other than American History?)

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■ **Historical Background**
Your lesson should include a brief section on the historical background (context) of the document(s).

■ **Teaching Activities**
Your lesson should include a substantive teaching activity that engages students in a critical examination of the documents within the context of United States History (and World History if appropriate).

III. LESSON FORMAT

Your lesson must follow the following format:

- Title
- *Our Documents* and Theme Connection
- Cross-Curricular Connections
- List of Document(s)
  (List the document(s) in the order in which they are used.)
- Historical Background
- Teaching Activities (All teaching activities must be written to teachers so that other teachers might understand and use them.)

IV. LESSON SUCCESS

- Include a two page report on the success and usefulness of your lesson. (Therefore, you must pilot your lesson in your classroom!)
- Include two letters of recommendation from your students detailing their experience and perspective on the success of your lesson.

V. AWARDS

Awards will be presented to teachers in elementary, middle and high schools for the following:

- Outstanding Document Lesson related to The Nation and the Wider World
- Outstanding Document Lesson related to Individuals and Society
- Outstanding Document Lesson related to State and Federal Power
- Outstanding Document Lesson related to Commerce and Regulation

Mail your lesson by March 1, 2003 to:

Teaching Our Documents
National History Day
0119 Cecil Hall, University of Maryland, College Park, MD 20742

Part Two: Educator's Notebook— *Using the 100 Milestone*

The Educator's Notebook section of the resource book provides suggestions for ways to effectively use primary source documents in the classroom and place documents into historical context. This section of the resource book also contains the list of the 100 milestone documents. Again, the documents themselves are not reprinted here. To find copies of the documents, visit the *Our Documents* Web site at **www.ourdocuments.gov** The documents will be posted with supporting materials in chronological order in groups of three documents each week. The Educator's Notebook also includes a brief discussion of key themes that emerge in the documents, a timeline placing the documents in chronological perspective, and some suggestions for relating History Day projects to the 100 documents. *A More Perfect Union* is reprinted here to place several of the key documents into historical context. Three suggested lesson plans also follow, which include reference to specific milestone documents: the Louisiana Purchase Treaty, the Thomas Edison Patent Application (which includes a comparison with Alexander Graham Bell's Patent Application), and the *Brown v Board of Education* Supreme Court decision. Finally, a bibliography of works related to the milestone documents also is included in this section of the resource book.

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Documents in the Classroom

List of the 100 Milestone Documents

The following is a list of the 100 milestone documents, compiled by the National Archives and Records Administration, and drawn primarily from its nationwide holdings. The documents chronicle United States history from 1776 to 1965[1].

The list begins with the Lee Resolution of June 7, 1776, a simple document resolving that the United Colonies "are, and of right, ought to be free and independent states. . ." and ends with the Voting Rights Act of 1965, a statute that helped fulfill the promise of freedom inherent in the first documents on the list. The remaining milestone documents are among the thousands of public laws, Supreme Court decisions, inaugural speeches, treaties, constitutional amendments, and other documents that have influenced the course of United States history. These documents have helped shape the national character of the United States, and they reflect the diversity, the unity, and the commitment of this nation to continue to work toward forming "a more perfect union."

[1] The decision not to include milestone documents since 1965 was a deliberate acknowledgement of the difficulty in examining more recent history. As stated in the guidelines for the National History Standards, developed by the National Center for History in the Schools, *"Historians can never attain complete objectivity, but they tend to fall shortest of the goal when they deal with current or very recent events."*

1. Lee Resolution, 1776
2. Declaration of Independense, 1776
3. Articles of Confederation, 1777
4. Treaty of Alliance with France, 1778
5. Original Design of the Great Seal of the United States, 1782
6. Treaty of Paris, 1783
7. Virginia Plan, 1787
8. Northwest Ordinance, 1787
9. Constitution of the United States, 1787
10. Federalist Paper No. 10, 1787; No. 51, 1788 **
11. President George Washington's First Inaugural Speech, 1789
12. Federal Judiciary Act, 1789
13. Bill of Rights, 1791
14. Patent for the Cotton Gin, 1794
15. President George Washington's Farewell Address, 1796 **
16. Alien and Sedition Acts, 1798
17. Jefferson's Secret Message to Congress Regarding Exploration of the West, 1803
18. Louisiana Purchase Treaty, 1803
19. *Marbury v Madison*, 1803
20. The Treaty of Ghent, 1814
21. *McCulloch v Maryland*, 1819
22. Missouri Compromise, 1820
23. Monroe Doctrine, 1823
24. *Gibbons v Ogden*, 1824
25. President Andrew Jackson's Message to Congress "On Indian Removal," 1830
26. Treaty of Guadalupe Hidalgo, 1848
27. Compromise of 1850
28. Kansas-Nebraska Act, 1854
29. *Dred Scott v Sanford*, 1857
30. Telegram Announcing the Surrender of Fort Sumter, 1861
31. Homestead Act, 1862
32. Pacific Railway Act, 1862
33. Morrill Act, 1862
34. Emancipation Proclamation, 1863
35. War Department General Order 143: Creation of the U.S. Colored Troops, 1863
36. Gettsyburg Address, 1863 **
37. Wade-Davis Bill, 1864
38. President Abraham Lincoln's Second Inaugural Address, 1865 **
39. Articles of Agreement Relating to the Surrender of the Army of Northern Virginia, 1865
40. 13th Amendment to the U.S. Constitution: Abolition of Slavery, 1865
41. Check for the Purchase of Alaska, 1868
42. Treaty of Fort Laramie, 1868
43. 14th Amendment to the U.S. Constitution: Civil Rights, 1868
44. 15th Amendment to the U.S. Constitution: Voting Rights, 1870

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45. Act Establishing Yellowstone National Park, 1872
46. Thomas Edison's Patent Application for the Light Bulb, 1880
47. Chinese Exclusion Act, 1882
48. Pendleton Act, 1883
49. Interstate-Commerce Act, 1887
50. Dawes Act, 1887
51. Sherman Anti-Trust Act, 1890
52. *Plessy v Ferguson*, 1896
53. De Lome Letter, 1898
54. Joint Resolution to Provide for Annexing the Hawaiian Islands to the United States, 1898
55. Platt Amendment, 1903
56. Theodore Roosevelt's Corollary to the Monroe Doctrine, 1905
57. 16th Amendment to the U.S. Constitution: Federal Income Tax, 1913
58. U.S. 17th Amendment to the U.S. Constitution: Direct Election of Senators, 1913
59. Keating-Owen Child Labor Act, 1916
60. Zimmermann Telegram, 1917
61. Joint Address to Congress Leading to a Declaration of War Against Germany, 1917
62. President Woodrow Wilson's 14 Points, 1918
63. 19th Amendment to the U.S. Constitution: Women's Right to Vote, 1920
64. Boulder Canyon Project Act, 1928
65. Tennessee Valley Authority Act, 1933
66. National Industrial Recovery Act, 1933
67. National Labor Relations Act, 1935
68. Social Security Act, 1935
69. President Franklin Roosevelt's Radio Address unveiling second half of the New Deal, 1936
70. President Franklin Roosevelt's Annual Message to Congress, 1941
71. Lend Lease Act, 1941
72. Executive Order 8802: Prohibition of Discrimination in the Defense Industry, 1941
73. Joint Address to Congress Leading to a Declaration of War Against Japan, 1941
74. Executive Order 9066: Japanese Relocation Order, 1942
75. Eisenhower's Order of the Day, June 6, 1944
76. Servicemen's Readjustment Act, 1944
77. Manhattan Project Notebook, 1945
78. Surrender of Germany, 1945
79. United Nations Charter, 1945
80. Surrender of Japan, 1945
81. Truman Doctrine, 1947
82. Marshall Plan, 1948
83. Press Release Announcing U.S. Recognition of Israel, 1948
84. Executive Order 9981: Desegregation of the Armed Forces, 1948
85. Armistice Agreement for the Restoration of the South Korean State, 1953
86. Senate Resolution 301: Censure of Senator Joseph McCarthy, 1954
87. *Brown v Board of Education*, 1954
88. National Interstate and Defense Highways Act, 1956
89. Executive Order 10730: Desegregation of Central High School, 1957
90. President Dwight D. Eisenhower's Farewell Address, 1961
91. President John F. Kennedy's Inaugural Address, 1961
92. Executive Order 10924: Establishment of the Peace Corps, 1961
93. Transcript of John Glenn's Official Communication With the Command Center, 1962
94. Aerial Photograph of Missiles in Cuba, 1962
95. Test Ban Treaty, 1963
96. Official Program for the March on Washington, 1963
97. Civil Rights Act, 1964
98. Tonkin Gulf Resolution, 1964
99. Social Security Act Amendments, 1965
100. Voting Rights Act, 1965

All of the documents listed above are in the holdings of the National Archives and Records Administration, except where noted with an **.

Rights, Responsibilities, & the 100 Milestone Documents: **Some Key Themes**

Theme One: The Nation and the Wider World

A key theme evident in the documents collected here is that of rights, responsibilities and the nation's relationship to the rest of the world. Our first milestone document, the Lee Resolution, stated that "these United Colonies are, and of right ought to be, free and independent States, that they are absolved from all allegiance to the British Crown." Accordingly, the united colonies had a right to be independent of Britain and were assuming responsibility for themselves. Toward that end, concluded the Resolution, "it is expedient forthwith to take the most effectual measures for forming foreign Alliances." In assuming their rights as members of an independent nation, the stewards of this new nation immediately set out to renegotiate their relations with other nations.

What kinds of rights did the rebelling Americans assume they had as members of a newly independent nation? What kinds of responsibilities? Certainly, the Declaration of Independence implied what kinds of rights the Americans believed they had in describing how they had been wronged. A National History Day project might examine how the Lee Resolution led to the drafting of the Declaration of Independence, or explore the reaction of the British people to the Declaration. Did the British have different ideas about freedom than the American colonists had in 1776? Also reflective of this theme is the Treaty of Alliance (1778) with France. This treaty gave the Americans a vital ally in their attempt to secure rights as members of their own nation, and in turn the revolutionaries took on the responsibility of pledging their support to France, should France go to war against Britain. Such assertions of rights and pledges of responsibility were and are at the core of our international relationships.

the core of our international relationships

The Northwest Ordinance, the purchases of the Louisiana territory and Alaska, the Treaty with Cuba after the War with Spain, and the annexation of Hawaii all involved a range of assumptions and beliefs about the rights and responsibilities of peoples of different nations and cultures. The Declaration of War against Japan following the attack on Pearl Harbor, and the surrender of Germany and Japan to the Allies in 1945, concerned a different set of ideas about rights and responsibilities: those involving nations at war. All of these documents would form excellent bases for projects and lesson plans exploring relations between the United States and the wider world.

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Theme Two: Individuals and Society

A second theme present in the milestone documents relates to individuals and society. The Bill of Rights, written expressly to ensure the rights of individuals in our political system, is the clearest expression of the national ideal that the rights of individuals deserve deep respect. What kinds of responsibilities, we might ask, are implied in the 10 Amendments that comprise the Bill of Rights? A History Day project might involve researching the process by which these 10 Amendments were selected.

Other key documents related to individuals and society are the Chinese Exclusion Act of 1882 and Executive Order 9066 authorizing Japanese relocation during the Second World War. What was happening in 1942 that caused Franklin Roosevelt to sign Executive Order 9066? A History Day project might compare and contrast the factors leading to the Chinese Exclusion Act and those leading to Executive Order 9066. Were Chinese and Japanese Americans regarded in similar ways in the late 19th and early 20th centuries?

Theme Three: State and Federal Power

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." So states the 10th Amendment to the Constitution in a deceptively simple phrasing of a historically controversial issue in the history of American rights and responsibilities. When, where, and how should the federal government exercise power, and when should that power be exercised by the states? *Our Documents* seeks to encourage exactly this kind of debate among students and teachers. The Constitution replaced the Articles of Confederation precisely because many came to believe that the Articles could no longer effectively hold the nation together. Yet the debate over state vs. federal power would rage during the next 75 years as Americans tried to decide whether the states or the federal government should have the final say in the spread, and later, the existence, of slavery in the nation. The Compromise of 1850, the Kansas-Nebraska Act, the Emancipation Proclamation, and the 13th Amendment, collectively and separately form a window into the issue of state and federal power, as well as the issue of slavery. Why were there struggles over the admission of slave states into the Union in the early 19th century? Could the federal government abolish slavery? History Day projects might examine the documents mentioned above for insight into the conflicts and compromises surrounding state and federal power that have absorbed Americans from the nation's earliest days.

the debate over federal vs. state power

State and federal power do not have to be viewed exclusively in relation to each other, as a look at key documents related to the Great Depression of the 1930s shows. Americans looked to the federal government for assistance during the economic tragedy of the Depression, and the government sought to address the crisis through passage of the National Industrial Recovery Act, the Social Security Act, and the National Labor Relations Act. The 20th century has seen an expansion of federal power on behalf of groups as diverse as children (Keating-Owen Child Labor Act of 1916) and former soldiers (Servicemen's Readjustment Act, 1944). *Our Documents* History Day projects and teacher lesson plans might focus on the expansion of that power.

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Theme Four: Commerce and Regulation

In an effort to highlight the national emphasis on commercial affairs that has been present from our earliest years, the *Our Documents* initiative also encourages exploration of key documents related to commerce and regulation.

the rights and responsibilities of inventors

Soon after the first patent statute requiring drawings of inventions was enacted in the United States, Eli Whitney applied for a patent for his cotton gin, a device that revolutionized the cotton trade and transformed the South. The patent comprises one of our key documents, along with Edison's patent application for the light bulb. A whole host of commercially related rights and responsibilities issues can be addressed in a look at such patents. Why do we need patents? What are the rights and responsibilities of inventors? What innovations did Whitney and Edison introduce to make their inventions worth patenting? With the new inventions of the Industrial Revolution came new attention to industry regulation.

The *Our Documents* initiative contains several other milestone documents that established the government's power to regulate business, including the *Gibbons v Ogden* case (1824), which affirms Congress' right to regulate commerce among the states, and the Sherman Anti-Trust Act of 1890, which outlawed business trusts that thwarted competition. The rights and responsibilities of businesses remain contested issues, and several milestone documents offer windows into a range of discussions related to inventors, their inventions, and the role of business and commerce in national history.

There are other historical themes represented in the documents that are not expressed here. The themes mentioned above, moreover, overlap in several documents. The *Brown v Board of Education* decision, for example, can be linked to the theme of individuals and society, as it concerns the rights of young African Americans to attend schools equal in quality to those of whites. The *Brown* decision, however, also can be connected to the issue of state and federal power, as it declares state school segregation unconstitutional. Many local schools resisted the Supreme Court's decision, refusing to integrate their schools because they believed such decisions should be made locally. Different themes can be combined, and new themes will emerge as the documents are explored in greater depth. This kind of combination and exploration is encouraged.

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Introducing Students to Primary Source Documents

— By Lee Ann Potter, National Archives and Records Administration
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Primary source documents, such as those included in the *Our Documents* project, fascinate students because they are real. They are not simply words that were written decades ago, but rather, the actual, tangible evidence that exists today that links us to the past and to those individuals who came before us.

Perhaps because they are of such interest to students, using primary source documents in the classroom helps to teach and reinforce important historical thinking skills.

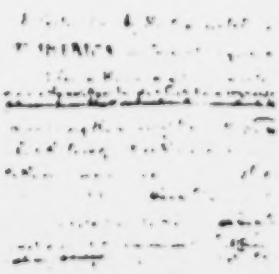
1. They prompt students to ask questions.
2. They encourage students to acknowledge various points of view.
3. They help establish context for historical events.
4. They allow students to discover evidence.
5. They help students see cause-and-effect relationships.
6. They encourage students to compare and contrast evidence.
7. They help students understand continuity and change over time.
8. They force students to consider and recognize bias.
9. They make students question where information comes from.
10. They drive students to determine validity and reliability of sources.
11. They enable students to realize the importance of referencing multiple resources for information.

Timeline: *The 100 Documents in Chronological Perspective*

1776

Lee Resolution— Richard Henry Lee, Virginia delegate to the Second Continental Congress, urges the Congress to declare colonial independence from Great Britain on June 7. His statement to the Revolutionary Congress, which is adopted and forms the basis of the Declaration of Independence, is known as the "Lee Resolution."

Declaration of Independence— The formal statement of separation and list of grievances, as well as the principles that inform them, is issued by the Continental Congress on behalf of the 13 American colonies against Great Britain.



1777

Articles of Confederation— This is the first "blueprint" of government adopted by the Continental Congress during the Revolutionary War. Wary of a strong central power in the wake of their experiences with Britain, the Articles reserve the right for each state to maintain "its sovereignty, freedom and independence." The Articles identify Americans as citizens of their own state first, and of the United States second.

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Introducing students to primary sources can turn them on to history like little else can. The National Archives and National History Day recognize this power and suggest the following guidelines for using primary sources as teaching tools:

1. Determine what is usable in the document.
2. Decide how the document can be dropped into the curriculum.
3. Relate the document to larger issues or concepts of study.
4. Determine what personal application the document has for students.
5. Establish the context of the document.
6. Work directly with the document.
7. Use documents to raise questions for further research.
8. Use documents when longer reading assignments would be too much for the time available.
9. Allow the student to become the historian and examine the document as a historian's tool.

Finally, we offer the following suggestions for incorporating primary sources into instruction.

1. Focus Activity

Introduce document analysis as a regular activity at the beginning of each class period to focus student attention on the day's topic.

For example: *Place a document on an overhead projector for students to see as they enter the room; or meet students at the door and hand them a document as they enter. As soon as the bell rings, begin a discussion.*

2. Brainstorming Activity

Launch a brainstorming session prior to a new unit of study with a document. This will alert students to topics that they will study.

For example: *Distribute one or more documents to students and ask them what places, names, concepts, and issues are contained in it/them, along with what questions they prompt. Write these on a sheet of butcher paper. Keep this list posted in the room for the duration of the unit. Check off items as they are studied in the unit.*

3. Visualization Exercise

Encourage students to visualize another place or time by viewing and analyzing graphical materials.

For example: *Post photographs, maps, and other visual materials created during the period that you are studying around your classroom. Change these images as the units change.*

1778
Treaty of Alliance with France—Believing that they would benefit militarily by allying themselves with a powerful nation, the revolutionary colonies form an alliance with France against Great Britain. According to this first military treaty of the new nation, the United States will provide for a defensive alliance to aid France should England attack, and neither France nor the United States will make peace with England until the independence of the United States is recognized.

1782
Original Design of the Great Seal of the United States—Several years in the making, the Great Seal is adopted by Congress; it symbolizes the sovereignty of the new nation.

1783
Treaty of Paris—Ending the war between Great Britain and its former colonies, this treaty formally recognizes the United States as an independent nation.

1787
Virginia Plan—Having agreed the Articles of Confederation were too weak a basis on which to build a new national government, the delegates to a convention charged with creating a new Constitution for the United States adopt this new blueprint for government on May 29. Written by Virginia convention delegate James Madison, this plan proposes a strong central government composed of three branches: legislative, executive, and judicial. It also enables the legislative branch to veto state laws and use force against states that fail to fulfill their duties.

Northwest Ordinance—This ordinance, passed by the Confederation Congress on July 13, establishes the United States' control over the territory north of the Ohio River and east of the Mississippi River. The ordinance lays the groundwork for national westward expansion by defining steps for the creation of new states.

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4. Project Inspiration

Let documents serve as examples for student created projects.

For example: *If your economics assignment is for students to create a poster encouraging young people to save money, share examples of WWII savings bond campaign posters with them.*

5. Dramatic Presentation Activity

Use documents to inspire dramatic presentations by your students.

For example: *Share with students a presidential speech and ask a student volunteer to deliver it to the class; or ask a student to present a dramatic reading of a letter; or assign students to write a script containing quotes from primary source documents.*

6. Writing Activity

Use documents to prompt a student writing activity.

For example: *Share with students a letter and ask them to either respond to it or write the letter that may have prompted it.*

7. Listening Activity

Provide opportunities for students to listen to sound recordings and imagine being present at an historical event.

For example: *Dim the lights in your classroom while you play a sound clip from an historical event and ask students to describe or draw the scene and/or the emotions in the voices.*

8. Creating a Documentary

Show vintage film footage to encourage student-created documentaries.

For example: *In place of a traditional unit assessment, assign student groups the creation of a 10 minute documentary about the time period they have just studied. Ask them to incorporate film footage, photographs, sound, and quotes from other primary sources.*

9. Cross-Curricular Activity

Use documents to suggest and reinforce collaboration with a colleague in another department on assignments for students.

For example: *If a physics teacher assigns students to create an invention, share with students a patent drawing and ask them to draw one for their invention along with a specification sheet. Or, share documents with students related to the novels (or authors) that they are reading in Language Arts.*

1787

Constitution of the United States—
After months of debate in Philadelphia, the Convention charged with constructing a system of government to replace that created by the Articles of Confederation adopts a new national Constitution. This Constitution creates a representative democratic republican form of government with a system of checks and balances. The new government will have three branches: the Legislative branch that will include a House of Representatives and a Senate, an Executive branch, and a Judicial branch.

Federalist Paper No. 10—
In order for the newly drafted Constitution to become law, it needs to be ratified by nine of the 13 states. Some voters in the states have to be convinced that the new Constitution is worth adopting. The Federalist Papers, which are a series of newspaper essays written by James Madison, Alexander Hamilton, and John Jay, are written to promote the ratification of the Constitution. In Federalist No. 10, Madison argues that the representative democratic republican form of government created by the new Constitution provides a remedy for the diseases to which such governments are most prone: factions.

1788

Federalist Paper No. 51—
Hamilton and Madison argue in Federalist No. 51 that the three branches of government created by the Constitution effectively divide power among them, allowing each branch to check the power of the others, as well as itself. Adopting the new Constitution would therefore create a government capable of resisting tyranny, and hence, securing freedom.

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10. Current Events Activity

(What is Past is Prologue) Use documents to launch a discussion about an issue or event currently in the news.

For example: *Select a document that relates to a person, event, or place that is currently in the news. Strip the document of information about the date of its creation and distribute it to students. Ask students to speculate about when it was created.*

11. Drawing Connections Activity

Use documents to help students recognize cause-and-effect relationships.

For example: *Provide students with two seemingly unrelated documents and ask them to connect them using other documents. One possibility might be to ask them how the Lee Resolution and the Homestead Act are connected. Student answers might include, "Three committees were set up as a result of the Lee Resolution. One committee drafted the Declaration of Independence. Its principle author was Thomas Jefferson. He was the President at the time of the Louisiana Purchase. The territory that became part of the United States as a result of the Louisiana Purchase included much of the land that became available for settlement under the Homestead Act."*

12. Integrating Geography Activity

Use documents to teach and emphasize the locations where significant events have taken place.

For example: *Post a large map of the United States or the world on the classroom wall. Each time a new milestone document is discussed, place a pin in the location where the document was created and/or where its impact was the greatest.*

13. Small Group Hypothesis Activity

Use documents to encourage students to think creatively and consider the relative significance of a particular document.

For example: *Divide students into small groups, provide them with a document, and ask them to consider "what if" the document never existed.*

14. Reflection Exercises

Use documents to prompt student understanding of how actions of the government and/or events of the past effect their lives today.

For example: *Provide students with copies of the 19th Amendment and the Voting Rights Act and ask students to consider the documents' implications on their lives.*

1789

President George Washington's First Inaugural Speech—George Washington is unanimously elected President by the Electoral College, and John Adams serves as the nation's first vice president. The new President gives the First Inaugural Address on April 30.

Nine states ratify the Constitution, and it then goes into effect. However, New York and Virginia only agree to ratification on the condition that a Bill of Rights be added. The Constitution on its own only defines the rights of the state and federal governments in relation to each other, and these states want a series of amendments to the Constitution that protect the rights of individual citizens.

Federal Judiciary Act—In accordance with the new Constitution, Congress passes the Federal Judiciary Act, signed by President Washington on Sept. 24, creating the Supreme Court and the lower federal courts.

1791

Bill of Rights—The first 10 amendments to the Constitution, known as the Bill of Rights, are ratified by the states. These Amendments define citizens' rights in relation to the government, and include guarantees of freedom of speech and religion, and the right to a speedy and public trial.

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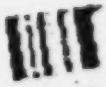
Original Design of the Great Seal of the United States, 1782

Key Documents in Historical Perspective

Our Documents is intended to engage students in their civic past by introducing them to primary documents. Introducing students to history through primary documents is, moreover, a great way to trigger a more lasting interest in the general past. Primary documents, however, cannot be understood outside of broader historical context. Could a teacher, for example, make sense of the 1954 *Brown v Board of Education* decision without reference to the 1896 *Plessy v Ferguson* decision? Placing primary documents into the wider scope of history is essential to imparting students with substantive historical understanding.

One of the most difficult tasks for students participating in National History Day is that of situating their primary source research in historical context. Yet, solid analysis and perceptive interpretation of historical events is one of the main criteria by which student projects are judged. Reference to secondary sources helps ascertain truth and fiction in primary sources and allows students to criticize and evaluate primary sources in informed ways. Reading secondary accounts allows one to fine tune findings only suggested by primary sources. Hence, secondary information related to primary sources helps us to understand the general developments of the period, the broader view, and long term or distant consequences surrounding the event or circumstances in question.

For reproductions and transcriptions of these documents, go to www.ourdocuments.gov



1794

Patent for the Cotton Gin—Eli Whitney's invention of the cotton gin, for which he receives a patent on March 14, creates a more efficient and rapid method of processing cotton.

1796

President George Washington's Farewell Address**—In his farewell Presidential address, President Washington advises American citizens to view themselves as unified, to avoid political parties, and to be wary of attachments and entanglements with other nations.

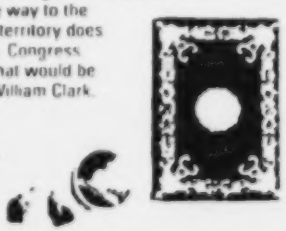
1798

Alien and Sedition Acts—Passed in preparation for an anticipated war with France, these acts are also intended to stop the Democratic Republican opposition in a Federalist-controlled Congress. The acts tighten restrictions on foreign-born Americans (many of whom favored the Democratic Republicans) and limit speech critical of the government.

1803

President Thomas Jefferson's Secret Message to Congress Regarding Exploration of the West—In this secret message of Jan. 18, President Thomas Jefferson asks Congress for $2,500 to explore the West—all the way to the Pacific Ocean. At the time, the territory does not belong to the United States. Congress agrees to fund the expedition that would be led by Meriwether Lewis and William Clark.

Louisiana Purchase Treaty—In this transaction with France, signed on April 30, the United States purchases 828,000 square miles of land west of the Mississippi River for $15 million. For roughly 4 cents an acre, the country doubles in size, expanding the nation westward.



A More Perfect Union

— *By Roger A. Bruns*
National Archives and Records Administration
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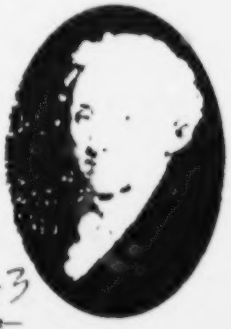
MAY 25, 1787. Freshly spread dirt covered the cobblestone street in front of the Pennsylvania State House, protecting the men inside from the sound of passing carriages and carts. Guards stood at the entrances to ensure that the curious were kept at a distance. Robert Morris of Pennsylvania, the "financier" of the Revolution, opened the proceedings with a nomination—Gen. George Washington for the presidency of the Constitutional Convention. The vote was unanimous. With characteristic ceremonial modesty, the general expressed his embarrassment at his lack of qualifications to preside over such an august body and apologized for any errors into which he might fall in the course of its deliberations.

To many of those assembled, especially to the small, boyish-looking, 36-year-old delegate from Virginia, James Madison, the general's mere presence boded well for the convention, for the illustrious Washington gave to the gathering an air of importance and legitimacy. But his decision to attend the convention had been an agonizing one. The Father of the Country had almost remained at home.

Suffering from rheumatism, despondent over the loss of a brother, absorbed in the management of Mount Vernon, and doubting that the convention would accomplish very much or that many men of stature would attend, Washington delayed accepting the invitation to attend for several months. Torn between the hazards of lending his reputation to a gathering perhaps doomed to failure and the chance that the public would view his reluctance to attend with a critical eye, the general finally agreed to make the trip. James Madison was pleased.



1803
Marbury v Madison— Supreme Court Chief Justice John Marshall establishes the Supreme Court's role as chief interpreter of the Constitution in his ruling on the *Marbury vs. Madison* case. The decision establishes the right of the courts to determine the constitutionality of the decisions of the other two branches of government.

1814
Treaty of Ghent— This treaty ends the War of 1812, between Great Britain and the United States. Often called the Second War of Independence, the War of 1812 began amid strained relations between the two countries as the United States established itself as a nation. The treaty confirms the new nation's sovereignty.

1819
McCulloch v Maryland— This Supreme Court case addresses the issue of federal power and commerce. In the majority opinion, Chief Justice John Marshall concludes that Congress does have the right to create a national bank, and that states do not have a right to tax that bank, as federal power is greater than that of the states.

1820
Missouri Compromise— This compromise is a series of measures designed to address the issue of the spread of slavery. It admits Missouri as a slave state, and Maine as a nonslave state at the same time, so as not to upset the balance between slave and free states in the nation. It also outlaws slavery above the 36° 30' latitude line in the remainder of the Louisiana territory.

1823
Monroe Doctrine— This doctrine, laid out in President James Monroe's annual message to Congress on Dec. 2, states that the "American continents are henceforth not to be considered as subjects for future colonization by any European powers." The European powers, according to Monroe, are obligated to respect the Western hemisphere as the United States' sphere of interest.

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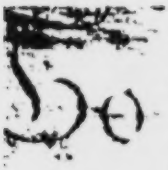
THE ARTICLES OF CONFEDERATION



THE DETERMINED MADISON had for several years insatiably studied history and political theory searching for a solution to the political and economic dilemmas he saw plaguing America. The Virginian's labors convinced him of the futility and weakness of confederacies of independent states. America's own government under the Articles of Confederation, Madison was convinced, had to be replaced. In force since 1781, established as a "league of friendship" and a constitution for the 13 sovereign and independent states after the Revolution, the articles seemed to Madison woefully inadequate. With the states retaining considerable power, the central government, he believed, had insufficient power to regulate commerce. It could not tax and was generally impotent in setting commercial policy. It could not effectively support a war effort. It had little power to settle quarrels between states. Saddled with this weak government, the states were on the brink of economic disaster. The evidence was overwhelming. Congress was attempting to function with a depleted treasury; paper money was flooding the country creating extraordinary inflation—a pound of tea in some areas could be purchased for a tidy $100; and the depressed condition of business was taking its toll on many small farmers. Some of them were being thrown in jail for debt and numerous farms were being confiscated and sold for taxes.

In 1786 some of the farmers had fought back. Led by Daniel Shays, a former captain in the Continental army, a group of armed men, sporting evergreen twigs in their hats, prevented the circuit court from sitting at Northampton, Massachusetts, and threatened to seize muskets stored in the arsenal at Springfield. Although the insurrection was put down by state troops, the incident confirmed the fears of many wealthy men that anarchy was just around the corner. Embellished day after day in the press, the uprising made upper-class Americans shudder as they imagined hordes of vicious outlaws descending upon innocent citizens. From his idyllic Mount Vernon setting, Washington wrote to Madison: "Wisdom and good examples are necessary at this time to rescue the political machine from the impending storm."

Madison thought he had the answer. He wanted a strong central government to provide order and stability. "Let it be tried then," he wrote, "whether any middle ground can be taken which will at once support a due

1824
Gibbons v Ogden—
The Constitution grants Congress the right to regulate commerce among the states, and this Supreme Court case upholds that power. The Supreme Court rules that states cannot enact any legislation that interferes with Congress' right to regulate commerce among the separate states.

1830
President Andrew Jackson's Message to Congress "On Indian Removal"—
The president calls for the relocation of eastern American Indian tribes to land west of the Mississippi River, thereby opening new land for settlement by members of the United States.

1848
Treaty of Guadalupe Hidalgo—
This treaty ends the war between the United States and Mexico. By its terms, Mexico cedes 55 percent of its territory, including parts of present-day Arizona, California, New Mexico, Texas, and parts of Colorado, Nevada, and Utah, to the United States.

1850
Compromise of 1850—
This is a series of bills that addresses issues related to slavery. The Compromise provides for slavery to be decided by popular sovereignty (where settlers choose whether slavery will exist in a territory) in the admission of new states, prohibits the slave trade in the District of Columbia, settles a Texas boundary dispute, and establishes a stricter Fugitive Slave Act.

1854
Kansas Nebraska Act—
This act creates two new territories, Kansas and Nebraska. It also repeals the 1820 Missouri Compromise that prohibited slavery above the 36° 30' latitude line, allowing settlers to choose whether slavery will exist in the new territories through popular sovereignty.

supremacy of the national authority" while maintaining state power only when "subordinately useful." The resolute Virginian looked to the Constitutional Convention to forge a new government in this mold.

The convention had its specific origins in a proposal offered by Madison and John Tyler in the Virginia assembly that the Continental Congress be given regulate commerce throughout the Confederation. Through their efforts in the assembly, a plan was devised inviting the several states to attend a convention at Annapolis, Md., in September 1786, to discuss commercial problems. Madison and a young lawyer from New York named Alexander Hamilton issued a report on the meeting in Annapolis calling upon Congress to summon delegates of all of the states to meet for the purpose of revising the Articles of Confederation. Although the report was widely viewed as a usurpation of congressional authority the Congress did issue a formal call to the states for a convention. To Madison it represented the supreme chance to reverse the country's trend. And as the delegations gathered in Philadelphia, its importance was not lost to others.

The squire of Gunston Hall, George Mason, wrote to his son: "The Eyes of the United States are turned upon this Assembly and their Expectations raised to a very anxious Degree. May God Grant that we may be able to gratify them, by establishing a wise and just Government."

THE DELEGATES

SEVENTY-FOUR DELEGATES were appointed to the convention, of which 55 actually attended sessions. Rhode Island was the only state that refused to send delegates. Dominated by men wedded to paper currency, low taxes, and popular government, Rhode Island's leaders refused to participate in what they saw as a conspiracy to overthrow the established government. Other Americans also had their suspicions. Patrick Henry, of the flowing red Glasgow cloak and the magnetic oratory refused to attend, declaring he "smelt a rat." He suspected, correctly, that Madison had in mind the creation of a powerful central government and the subversion of the authority of the

1857

Dred Scott v Sanford—
Dred Scott, a slave from Missouri, claims his freedom on the basis of living in a free state and free territory for seven years. His case ultimately goes to the Supreme Court. In its ruling, the court holds that no slave or descendant of a slave had ever been a citizen, or could be a United States citizen.

Telegram Announcing Surrender of Fort Sumter—
When President Abraham Lincoln orders United States soldiers to resupply the federal arsenal at Fort Sumter, South Carolina, the fort is attacked by members of the new Confederate States of America. This clash marks the start of the Civil War. Major Robert Anderson, commanding officer of the troops at Fort Sumter, surrenders the fort to the Confederacy.

Homestead Act—
This act, passed on May 20, grants adult heads of families 160 acres of surveyed public land after their payment of a filing fee and five years of continuous residence on that land. For $1.25 an acre, the settler could own the land after six months' residence. The act accelerates the settlement of the western territory.

Pacific Railway Act—
Passed on July 1, this act provides federal subsidies in land and loans for the construction of a transcontinental railroad across the United States.

Morrill Act—
This act, passed on July 2, makes it possible for new western states to establish colleges for their citizens. It grants every Union state 30,000 acres of public land for every member of its congressional delegation. The states are to sell this land and use the proceeds to establish colleges in engineering, agriculture, and military science.

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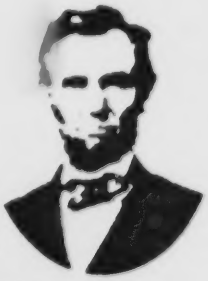
state legislatures. Henry, along with many other political leaders, believed that the state governments offered the chief protection for personal liberties. He was determined not to lend a hand to any proceeding that seemed to pose a threat to that protection.

With Henry absent, with such towering figures as Jefferson and Adams abroad on foreign missions, and with John Jay in New York at the Foreign Office, the convention was without some of the country's major political leaders. It was, nevertheless, an impressive assemblage. In addition to Madison and Washington, there were Benjamin Franklin of Pennsylvania—crippled by gout, the 81 year-old Franklin was a man of many dimensions: printer, storekeeper, publisher, scientist, public official, philosopher, diplomat, and ladies' man; James Wilson of Pennsylvania—a distinguished lawyer with a penchant for ill-advised land-jobbing schemes, which would force him late in life to flee from state to state avoiding prosecution for debt, the Scotsman brought a profound mind steeped in constitutional theory and law; Alexander Hamilton of New York—a brilliant, ambitious former aide-de-camp and secretary to Washington during the Revolution who had, after his marriage into the Schuyler family of New York, become a powerful political figure; George Mason of Virginia—the author of the Virginia Bill of Rights whom Jefferson later called, "the Cato of his country without the avarice of the Roman"; John Dickinson of Delaware—the quiet, reserved author of the "Farmers' Letters" and chairman of the congressional committee which framed the articles; and Gov. Morris of Pennsylvania—well versed in French literature and language, with a flair and bravado to match his keen intellect, who had helped draft the New York State Constitution and had worked with Robert Morris in the Finance Office.

There were others who played major roles: Oliver Ellsworth of Connecticut; Edmund Randolph of Virginia; William Paterson of New Jersey; John Rutledge of South Carolina; Elbridge Gerry of Massachusetts; Roger Sherman of Connecticut; Luther Martin of Maryland; and the Pinckneys, Charles and Charles Cotesworth, of South Carolina. Franklin was the oldest member and Jonathan Dayton, the 27 year-old delegate from New Jersey was the youngest. The average age was 42. Most of the delegates had studied law, had served in colonial or state legislatures, or had been in the Congress. Well-versed in philosophical theories of government advanced by such philosophers as James Harrington, John



1863

Emancipation Proclamation—President Lincoln issues the Emancipation Proclamation on Jan. 1. It declares, "that all persons held as slaves" within the rebellious states "are, and henceforward shall be free."

1864

Wade-Davis Bill—This bill creates a framework for Reconstruction and the re-admittance of the Confederate States to the Union.

1865

President Abraham Lincoln's Second Inaugural Address**—In his Second Inaugural Address, President Lincoln speaks of mutual forgiveness, North and South, asserting that the true mettle of a nation lies in its capacity for charity.

War Department General Order No. 143: Creation of the U.S. Colored Troops—President Lincoln approves the recruitment, into the military, of African Americans. This results in the War Department issuing Order No. 143 on May 22, creating the United States Colored Troops.

Gettysburg Address**—Delivered by President Lincoln at the memorial for the Battle of Gettysburg on Nov. 19. Lincoln urges Americans to remember the cause for which the soldiers at Gettysburg died, and to rededicate themselves to the principles of freedom and equality announced in the Declaration of Independence.

Locke, and Montesquieu, providing from experience gained in state politics, the delegates comprised an exceptional body, one which left a remarkably learned record of debate.

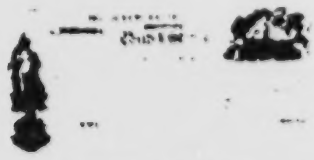
Fortunately, we have a relatively complete record of the proceedings, thanks to the indefatigable James Madison. Day after day the Virginian sat in front of the presiding officer, compiling notes of the debates, not missing a single day or a single major speech. He later remarked that his self-confinement in the hall, which was often oppressively hot in the Philadelphia summer, almost killed him.

The sessions of the convention were held in secret—no reporters or visitors were permitted. Although many of the naturally loquacious members were prodded in the pubs and on the streets, most remained surprisingly discreet. To those suspicious of the convention, the curtain of secrecy only served to confirm their anxieties. Luther Martin of Maryland later charged that the conspiracy in Philadelphia needed a quiet breeding ground. Thomas Jefferson wrote John Adams from Paris: "I am sorry they began their deliberations by so abominable a precedent as that of tying up the tongues of their members."

THE VIRGINIA PLAN

ON TUESDAY MORNING, May 29, Edmund Randolph, the tall, 34-year-old governor of Virginia, opened the debate with a long speech decrying the evils which had befallen the country under the Articles of Confederation and stressing the need for creating a strong national government. Randolph then outlined a broad plan which he and his Virginia compatriots had, through long sessions at the Indian Queen tavern, put together in the days preceding the convention. James Madison had such a plan on his mind for years. The proposed government had three branches—legislative, executive, and judicial—each branch structured to check the other. Highly centralized, the government would have veto power over laws enacted by state legislatures. The plan, Randolph confessed, "meant a strong *consolidated* union in which the idea of states should be nearly annihilated." This was, indeed, the rat so offensive to Patrick Henry.

The introduction of the so-called Virginia Plan at the beginning of the convention was a tactical coup. The Virginians had forced the



1865
13th Amendment to the U.S. Constitution: Abolition of Slavery—
This amendment abolishes the practice of slavery, previously permitted by the Constitution, in the whole of the United States.

1867
Check for the Purchase of Alaska—
Negotiated by Andrew Johnson's Secretary of State William Seward, the United States buys the territory of Alaska from Russia for $7.2 million, thus expanding United States territory north of Canada.

Treaty of Fort Laramie
From the 1860s through the 1870s the American frontier saw numerous battles between United States citizens and members of American Indian communities living on the frontier. The Sioux are one of many groups of Native Americans struggling to maintain control of their lands against the westward movement of the United States settlers. A conference held at Fort Laramie, in present day Wyoming, results in this treaty with the Sioux, signed on April 29. The Sioux agree to settle within the Black Hills reservation in the Dakota Territory, and the United States agrees to leave that territory to the Sioux.

1868
14th Amendment to the U.S. Constitution: Civil Rights—
This amendment is passed by Congress on July 13 to extend liberties and rights granted by the Bill of Rights to former slaves. It restrains states from abridging the privileges or immunities of citizens, requires due process of law and equal protection of the laws, cuts representation in Congress for states that deny voting rights, disqualifies for office some officials of the Confederacy, and invalidates any war debts of the Confederate States.

1865
Articles of Agreement Relating to the Surrender of the Army of Northern Virginia—
Generals Ulysses S. Grant and Robert E. Lee meet at the Appomattox Court House, Va., to discuss the surrender of the Army of Northern Virginia. According to the terms, the men of Lee's army can return home in safety if they pledge to end the fighting and deliver their arms to the Union Army.

debate into their own frame of reference and in their own terms.

For 10 days the members of the convention discussed the sweeping and, to many delegates, startling Virginia resolutions. The critical issue, described succinctly by Governor Morris on May 30, was the dissention between a federation and a national government, the "former being a mere compact residing on the good faith of the parties; the latter having a complete and *compulsive* operation." Morris favored the latter, a "supreme power" capable of exercising necessary authority not merely a shadow government, fragmented and hopelessly ineffective.

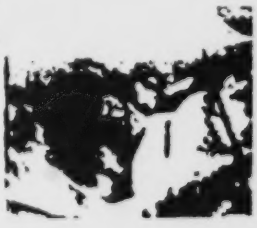
THE NEW JERSEY PLAN

THIS NATIONALIST POSITION revolted many delegates who cringed at the vision of a central government swallowing state sovereignty. On June 13 delegates from smaller states rallied around proposals offered by New Jersey delegate William Paterson. Railing against efforts to throw the states into "hotchpot," Paterson proposed a "union of the States merely federal." The "New Jersey resolutions" called only for a revision of the articles to enable the Congress more easily to raise revenues and regulate commerce. It also provided that acts of Congress and ratified treaties be "the supreme law of the States."

For three days the convention debated Paterson's plan, finally voting for rejection. With the defeat of the New Jersey resolutions, the convention was moving toward creation of a new government, much to the dismay of many small-state delegates. The nationalists, led by Madison, appeared to have the proceedings in their grip. In addition, they were able to persuade the members that any new constitution should be ratified through conventions of the people and not by the Congress and the state legislatures—another tactical coup. Madison and his allies believed that the constitution they had in mind would likely be scuttled in the legislatures where many state political leaders stood to lose power. The nationalists wanted to bring the issue before "the people" where ratification was more likely.

1870

15th Amendment to the U.S. Constitution: Voting Rights— During the Civil War, the national government commits itself to expanding the rights of African Americans. Reflecting this commitment, the 15th Amendment grants African-American men the right to vote. Though several defeated Southern states are required to adopt this amendment in order to regain admission into the Union, most will continue to deny African Americans the vote through state restrictions.

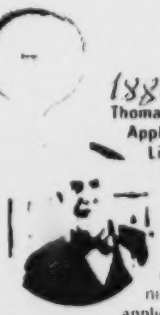


1872

Act Establishing Yellowstone Park— The establishment of America's first national park marks the nation's growing awareness, appreciation, and sense of responsibility for nature.

1880

Thomas Edison's Patent Application for the Light Bulb— In 1878 Thomas Edison lines up financial backing, assembles a group of scientists and technicians, and applies himself to the challenge of creating an effective and affordable electric lamp. Edison and his team try out thousands of theories, finally creating a successful model. On Jan. 27, 1880, Edison receives the historic patent incorporating the principles of his incandescent lamp that pave the way for the widespread use of electric light.



1882

Chinese Exclusion Act— The first significant law restricting immigration into the United States. It suspends Chinese immigration for 10 years and declares the Chinese ineligible for citizenship. The act will be renewed in 1892 for another 10 years.

HAMILTON'S PLAN

ON JUNE 18 Alexander Hamilton presented his own ideal plan of government. Erudite and polished, the speech, nevertheless, failed to win a following. It went too far. Calling the British government "the best in the world," Hamilton proposed a model strikingly similar: an executive to serve during good behavior or life with veto power over all laws; a senate with members serving during good behavior; the legislature to have power to pass "all laws whatsoever." Hamilton later wrote to Washington that the people were now willing to accept "something not very remote from that which they have lately quitted." What the people had "lately quitted," of course, was monarchy. Some members of the convention fully expected the country to turn in this direction. Hugh Williamson of North Carolina, a wealthy physician, declared that it was "pretty certain . . . that we should at some time or other have a king." Newspaper accounts appeared in the summer of 1787 alleging that a plot was underway to invite the second son of George III, Frederick, duke of York, the secular bishop of Osnaburgh in Prussia, to become "king of the United States."

Strongly militating against any serious attempt to establish monarchy was the enmity so prevalent in the revolutionary period toward royalty and the privileged classes. Some state constitutions had even prohibited titles of nobility. In the same year as the Philadelphia convention, Royall Tyler, a revolutionary war veteran, in his play *The Contract*, gave his own jaundiced view of the upper classes:

EXULT EACH PATRIOT HEART! THIS NIGHT
IS SHEWN
A PIECE, WHICH WE MAY FAIRLY
CALL OUR OWN;
WHERE THE PROUD TITLES OF "MY LORD!"
"YOUR GRACE!"
TO HUMBLE MR. AND PLAIN SIR GIVE PLACE.

Most delegates were well aware that there were too many Royall Tylers in the country with too many memories of British rule and too many ties to a recent bloody war, to accept a king. As the debate moved into the specifics of the new government, Alexander Hamilton and others of his persuasion would have to accept something less.

By the end of June, debate between the large and small states over the issue of representation in the first chamber of the legislature was becoming increasingly acrimonious.

1883

Pendleton Act—
This act establishes a merit based system of selecting government officials and supervising their work.

1887

Interstate Commerce Act—
With the rise of the railroad industry comes a revolution in transportation. Goods produced on farms and factories move through towns and states more rapidly than ever before, transforming national commerce. By the mid-1880s, farmers and merchants in particular, want to see government regulation of the railroads transporting their goods. The Interstate Commerce Act, approved on Feb. 4, creates an Interstate Commerce Commission to oversee the conduct of the railroad industry. With this act the railroads are the first industry subject to federal regulation.

Dawes Act—
In an effort to draw Native Americans into United States society, lawmakers pass the Dawes Act on Feb. 8. The law emphasizes "severalty," the treatment of Native Americans as individuals rather than as members of tribes. It provides for the distribution of 160 acres of Native American reservation land for farming, or 320 acres for grazing, to each head of an American Indian family that renounces traditional tribal holdings. Undistributed land will be sold to settlers, with the income used to purchase farm tools for the Native Americans. Those accepting the system will be declared citizens in 25 years.

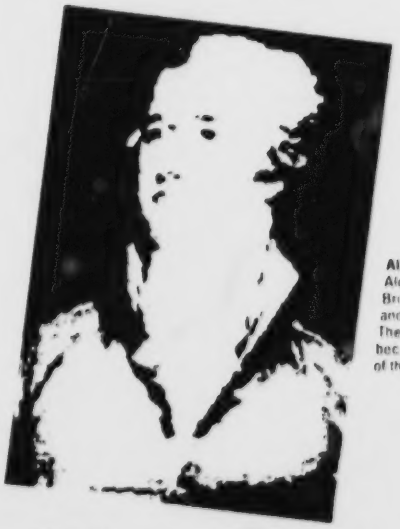
1890

Sherman Anti-Trust Act
With the rise of big industry come trusts, or agreements among corporations to control prices in order to reduce competition in an industry. This act attempts to outlaw such anticompetitive business practices.

Delegates from Virginia and other large states demanded that voting in Congress be according to population; representatives of smaller states insisted upon the equality they had enjoyed under the articles. With the oratory degenerating into threats and accusations Benjamin Franklin appealed for daily prayers. Dressed in his customary gray homespun, the aged philosopher pleaded that "the Father of lights . . . illuminate our understandings." Franklin's appeal for prayers was never fulfilled; the convention, as Hugh Williamson noted, had no funds to pay a preacher.

On June 29 the delegates from the small states lost the first battle. The convention approved a resolution establishing population as the basis for representation in the House of Representatives, thus favoring the larger states. On a subsequent small-state proposal that the states have equal representation in the Senate, the vote resulted in a tie. With large-state delegates unwilling to compromise on this issue, one member thought that the convention "was on the verge of dissolution, scarce held together by the strength of an hair."

By July 10 George Washington was so frustrated over the deadlock that he bemoaned "having had any agency" in the proceedings and called the opponents of a strong central government "narrow minded politicians . . . under the influence of local views." Luther Martin of Maryland, perhaps one whom Washington saw as "narrow minded," thought otherwise. A tiger in debate, not content merely to parry an opponent's argument but determined to bludgeon it into eternal rest, Martin had become perhaps the small states' most effective, if irascible, orator. The Marylander leaped eagerly into the battle on the representation issue declaring: "The States have a right to an equality of representation. This is *secured* to us by our present articles of confederation; *we* are in *possession* of this *privilege*."



Alexander Hamilton
Alexander Hamilton on June 18 called the British government "the best in the world" and proposed a model that was very similar. The erudite New Yorker, however, later became one of the most ardent spokesmen of the new Constitution.

1896

Plessy v Ferguson— When African-American Homer Plessy refuses to move from a white railroad car to one reserved for colored people in New Orleans because it violates the 13th and 14th Amendments, he is brought before Judge John Ferguson in a criminal court. Ferguson upholds the state law, which allows for "equal but separate accommodations for the white and colored races." The Supreme Court upholds the federal court's decision, arguing that separation of the two races does not "necessarily imply the inferiority of either race."

1898

De Lome Letter— This letter, written by the Spanish Ambassador to the United States, Enrique Dupuy de Lome, criticizes American President William McKinley by calling him weak and concerned only with gaining the favor of the crowd. It is intercepted before reaching its destination and published on the front page of William Randolph Hearst's popular *New York Journal*. Publication of the letter helps generate public support for a war with Spain over the issue of independence for the Spanish colony of Cuba.

1899

Joint Resolution to Provide for Annexing the Hawaiian Islands to the United States— The United States had been developing commercial interest in Hawaii for 50 years. By the late 19th century, American leaders actively seek control of the islands, resulting in its annexation.

1903

Platt Amendment— In its war with Spain in 1898, the United States successfully drives the Spanish out of Cuba, but U.S. policymakers fear another European power, particularly Germany, might take Spain's place on the island. The Platt Amendment, attached to the Cuban Constitution, seeks to prevent such an occurrence and maintain some control over affairs on the island through several provisions, including the following: 1. Cuba cannot make a treaty that would give another nation power over its affairs. 2. Cuba cannot go into debt. 3. The United States can impose a sanitation program on the island. 4. The United States can intervene in Cuban affairs to keep order and maintain independence there. 5. The United States can buy or lease Cuban naval stations.

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THE GREAT COMPROMISE

ALSO CROWDING into this complicated and divisive discussion over representation was the North-South division over the method by which slaves were to be counted for purposes of taxation and representation. On July 12 Oliver Ellsworth proposed that representation for the lower house be based on the number of free persons and three-fifths of "all other persons," a euphemism for slaves. In the following week the members finally compromised, agreeing that direct taxation be according to representation and that the representation of the lower house be based on the white inhabitants and three-fifths of the "other people." With this compromise and with the growing realization that such compromise was necessary to avoid a complete breakdown of the convention, the members then approved Senate equality. Roger Sherman had remarked that it was the wish of the delegates "that some general government should be established." With the crisis over representation now settled, it began to look again as if this wish might be fulfilled.

For the next few days the air in the City of Brotherly Love, although insufferably muggy and swarming with blue-bottle flies, had the clean scent of conciliation. In this period of welcome calm, the members decided to appoint a Committee of Detail to draw up a draft constitution. The convention would now at last have something on paper. As Nathaniel Gorham of Massachusetts, John Rutledge, Edmund Randolph, James Wilson, and Oliver Ellsworth went to work, the other delegates voted themselves a much needed 10 day vacation.

During the adjournment, Governor Morris and George Washington rode out along a creek that ran through land that had been part of the Valley Forge encampment 10 years earlier. While Morris cast for trout, Washington pensively looked over the now lush ground where his freezing troops had suffered, at a time when it had seemed as if the American Revolution had reached its end. The country had come a long way.

1905

President Theodore Roosevelt's Corollary to the Monroe Doctrine—
President Theodore Roosevelt formulates his corollary in his annual messages to Congress in 1904 and 1905. It expands Monroe's 1823 doctrine that "the American continents" were no longer open to colonization by European powers by adding that the United States has the right to intervene in affairs of Western Hemisphere nations if it is in their interest.

1913

16th Amendment to the U.S. Constitution: Federal Income Tax—
This amendment, which passes on July 2, establishes Congress' right to impose a federal income tax. It is the first personal income tax levied by the federal government.

17th Amendment to the U.S. Constitution: Direct Election of U.S. Senators—
With this amendment, which passes Congress on May 13, voters are permitted to cast direct votes for United States Senators. Prior to its passage, Senators were chosen by state legislatures.

1914

Keating-Owen Child Labor Act—
As the nation's industries expand during the Second Industrial Revolution, so too does child labor. By the early 20th century, social reformers express concern that long working hours and poor work conditions are harming the nation's youth. This act passes through the efforts of such reformers. The act limits the work hours of children and forbids the interstate sale of goods produced by child labor.

1917

Zimmermann Telegram—
This telegram, written by German Foreign Secretary Arthur Zimmermann, is a coded message requesting Mexican support for Germany during the First World War. The message instructs the German minister in Mexico to propose an alliance with Mexico if war breaks out between Germany and the United States. In return, Germany and Japan will help Mexico regain the territories (New Mexico, Arizona, Texas) that it lost to the United States during the Mexican War. (The telegram is intercepted by British intelligence, shown to President Woodrow Wilson, and helps pull the United States into the First World War.

THE FIRST DRAFT

ON MONDAY, August 6, 1787, the convention accepted the first draft of the Constitution. Here was the article-by-article model from which the final document would result some five weeks later. As the members began to consider the various sections, the willingness to compromise of the previous days quickly evaporated. The most serious controversy erupted over the question of regulation of commerce. The southern states, exporters of raw materials, rice, indigo, and tobacco, were fearful that a New England-dominated Congress might, through export taxes, severely damage the South's economic life. C. C. Pinckney declared that if Congress had the power to regulate trade the southern states would be "nothing more than overseers for the Northern States."

On August 21 the debate over the issue of commerce became very closely linked to another explosive issue—slavery. When Martin of Maryland proposed a tax on slave importation, the convention was thrust into a strident discussion of the institution of slavery and its moral and economic relationship to the new government. Rutledge of South Carolina, asserting that slavery had nothing at all to do with morality declared, "Interest alone is the governing principle with nations." Sherman of Connecticut was for dropping the tender issue altogether before it jeopardized the convention. Mason of Virginia expressed concern over unlimited importation of slaves, but later indicated that he also favored federal protection of slave property already held. This nagging issue of possible federal intervention in slave traffic, which Sherman and others feared could irrevocably split northern and southern delegates, was settled by in Mason's words "a bargain." Mason later wrote that delegates from South Carolina and Georgia, who most feared federal meddling in the slave trade, made a deal with delegates from the New England states. In exchange for the New Englanders' support for condoning slave importation for 20 years, the southerners accepted a clause that required only a simple majority vote on navigation laws, a crippling blow to southern economic interests.

The bargain was also a crippling blow to those working to abolish slavery. Congregationalist minister and abolitionist Samuel Hopkins of Connecticut charged that the convention had sold out: "How does it appear . . . that *these States*, who have been fighting for liberty and consider themselves as the highest and most noble example of zeal for

1918

Joint Address to Congress Leading to a Declaration of War Against Germany— Following German U-boat attacks on American ships and the appearance of the Zimmermann telegram, President Woodrow Wilson delivers this address to a joint session of Congress on April 2, calling for a declaration of war against Germany. With Congressional approval, the United States officially enters World War One.

President Woodrow Wilson's 14 Points— Hoping to provide a framework for world-wide peace following World War One, Woodrow Wilson presents Congress with a set of goals, called his 14 Points, on Jan. 8. Eight of the points deal with allowing emerging nations to pursue self-determination. Another seeks to solve disputes between colonized nations and European colonizers, while the remaining five offer a vision of freer trade, reduced numbers of arms, open treaty negotiation, and an organization for resolving international conflicts peacefully.

1920

19th Amendment to the U.S. Constitution: Women's Right to Vote — After several decades of effort by women suffragists, this amendment is ratified on Aug. 18, specifying that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex."

1928

Boulder Canyon Project Act— This act authorizes the construction of the Hoover Dam on the Colorado River and the All-American Canal to the Imperial Valley in California. Its purpose is to create a dam that will control flooding and produce a reliable source of water in the region.

VOTES FOR WOMEN

it, cannot agree in any political Constitution, unless it indulge and authorize them to enslave their fellow men.. Ah! these unclean spirits, like frogs, they like the Furies of the poets are spreading discord, and exciting men to contention and war." Hopkins considered the Constitution a document for the flames.

On August 31 a weary George Mason, who had three months earlier written so expectantly to his son about the "great Business now before us," bitterly exclaimed that he "would sooner chop off his right hand than put it to the Constitution as it now stands." Mason despaired that the convention was rushing to saddle the country with an ill-advised, potentially ruinous central authority. He was concerned that a "bill of rights," ensuring individual liberties, had not been made part of the Constitution. Mason called for a new convention to reconsider the whole question of the formation of a new government. Although Mason's motion was overwhelmingly voted down, opponents of the Constitution did not abandon the idea of a new convention. It was futilely suggested again and again for over two years.

One of the last major unresolved problems was the method of electing the executive. A number of proposals, including direct election by the people, by state legislatures, by state governors, and by the national legislature, were considered. The result was the electoral college, a master stroke of compromise, quaint and curious but politically expedient. The large states got proportional strength in the number of delegates, the state legislatures got the right of selecting delegates, and the House the right to choose the president in the event no candidate received a majority of electoral votes. Mason later predicted that the House would probably choose the president 19 times out of 20.

In the early days of September, with the exhausted delegates anxious to return home, compromise came easily. On September 8 the convention was ready to turn the Constitution over to a Committee of Style and Arrangement. Gov. Morris was the chief architect. Years later he wrote to Timothy Pickering: "That Instrument was written by the Fingers which wrote this letter." The Constitution was presented to the convention on September 12, and the delegates methodically began to consider each section. Although close votes followed on several articles it was clear that the grueling work of the convention in the historic summer of 1787 was reaching its end.

1933

Tennessee Valley Authority Act—
This act of May 18 creates the Tennessee Valley Authority, which will oversee the construction of dams to control flooding, improve navigation, and create affordable electric power in the Tennessee Valley basin.

National Industrial Recovery Act—
This act of June 16 creates a National Recovery Administration, which will supervise fair trade codes and guarantee laborers a right to collective bargaining with employers.

1935

National Labor Relations Act—
Also known as the Wagner Act, this bill is signed into law by President Franklin Roosevelt on July 5. It establishes the National Labor Relations Board and addresses relations between unions and employers in the private sector.

Social Security Act—
This act of Aug.14 establishes a system of old-age benefits for workers, benefits for victims of industrial accidents, unemployment insurance, aid for dependent mothers and children, the blind, and the physically handicapped.

1936

President Franklin Roosevelt's Radio Address Unveiling Second Half of the New Deal—
Upon entering office in 1933, President Franklin Roosevelt enacts a series of measures commonly referred to as the First New Deal to end the nation's economic depression. The First New Deal is not successful in pulling the nation out of its depression. In this radio address, President Roosevelt responds to critics of his early measures by announcing a second set of measures, which are known as the Second New Deal. These include a series of new relief programs, such as the Works Progress Administration.

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Before the final vote on the Constitution on September 15, Edmund Randolph proposed that amendments be made by the state conventions and then turned over to another general convention for consideration. He was joined by George Mason and Elbridge Gerry. The three lonely allies were soundly rebuffed. Late in the afternoon the roll of the states was called on the Constitution, and from every sdelegation the word was "Aye."

On September 17 the members met for the last time, and the venerable Franklin had written a speech that was delivered by his colleague James Wilson. Appealing for unity behind the Constitution, Franklin declared: "I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded like those of the builders of Babel; and that our States are on the point of separation, only to meet hereafter for the purpose of cutting one another's throats." With Mason, Gerry and Randolph withstanding appeals to attach their signatures, the other delegates in the hall formally signed the Constitution, and the convention adjourned at four o'clock in the afternoon.

Weary from weeks of intense pressure but generally satisfied with their work, the delegates shared a farewell dinner at City Tavern. Two blocks away on Market Street, printers John Dunlap and David Qaypoole worked into the night on the final imprint of the six-page Constitution, copies of which would leave Philadelphia on the morning stage. The debate over the nation's form of government was now set for the larger arena.

As the members of the convention returned home in the following days, Alexander Hamilton privately assessed the chances of the Constitution for ratification in its favor were the support of Washington, commercial interests, men of property creditors, and the belief among many Americans that the Articles of Confederation were inadequate. Against it were the opposition of a few influential men in the convention and state politicians fearful of losing power, the general revulsion against taxation, the suspicion that a centralized government would be insensitive to local interests, and the fear among debtors that a new government would "restrain the means of cheating Creditors."

1941

President Franklin Roosevelt's Annual Message to Congress— This speech delivered by President Roosevelt on Jan. 6 is known as his "Four Freedoms Speech," due to a short closing portion describing the President's vision in which the American ideals of individual liberties extend throughout the world.

Lend Lease Act— When war broke out in Europe in 1939, the United States officially remained neutral. President Roosevelt, however, believes the United States is obligated to assist Great Britain in its fight against Germany. Calling upon the United States to be the "great arsenal of democracy," President Roosevelt proposes a system for supplying England with war goods without requiring cash payment. The system allows the lending or leasing of war supplies to any nation deemed "vital to the defense of the United States." Congress approves the proposal as the Lend Lease Act on March 11, and the United States immediately begins shipping war supplies to England.

Executive Order 8802: Prohibition of Discrimination in the Defense Industry— War is raging in Europe and Asia, and United States defense-related industries expand as the nation supplies war goods to the fighting nations. A. Philip Randolph, President of the Brotherhood of Sleeping Car Porters, threatens to March on Washington if President Roosevelt doesn't make employment opportunities in the growing government-run defense industries available to African Americans in addition to whites. In response, Roosevelt issues Order 8802 in June, banning discriminatory employment practices by federal agencies and all unions and companies engaged in war-related work. The order also establishes the Fair Employment Practices Commission to enforce the new policy.

THE FEDERALISTS AND THE ANTI-FEDERALISTS

BECAUSE OF ITS SIZE, wealth, and influence and because it was the first state to call a ratifying convention, Pennsylvania was the focus of national attention. The positions of the Federalists, those who supported the Constitution, and the and Federalists, those who opposed it, were printed and reprinted by scores of newspapers across the country. And passions in the state were most warm. When the Federalist-dominated Pennsylvania assembly lacked a quorum on September 29 to call a state ratifying convention, a Philadelphia mob, in order to provide the necessary numbers, dragged two anti-Federalist members from their lodgings through the streets to the State House where the bedraggled representatives were forced to stay while the assembly voted. It was a curious example of participatory democracy.

On October 5 anti-Federalist Samuel Bryan published the first of his "Centinel" essays in Philadelphia's *Independent Gazetteer*. Republished in newspapers in various states, the essays assailed the sweeping power of the central government, the usurpation of state sovereignty and the absence of a bill of rights guaranteeing individual liberties such as freedom of speech and freedom of religion. "The United States are to be melted down," Bryan declared, into a despotic empire dominated by "well-born" aristocrats. Bryan was echoing the fear of many anti-Federalists that the new government would become one controlled by the wealthy established families and the culturally refined. The common working people, Bryan believed, were in danger of being subjugated to the will of an all-powerful authority remote and inaccessible to the people. It was this kind of authority, he believed, that Americans had fought a war against only a few years earlier.

The next day James Wilson, delivering a stirring defense of the Constitution to a large crowd gathered in the yard of the State House, praised the new government as the best "which has ever been offered to the world." The Scotsman's view prevailed. Led by Wilson, Federalists dominated in the Pennsylvania convention, carrying the vote on December 12 by a healthy 46 to 23.

The vote for ratification in Pennsylvania did not end the rancor and bitterness. Franklin declared that scurrilous articles in the press were giving the impression that Pennsylvania was "peopled by a set of the most unprincipled, wicked, rascally and quarrelsome

1941

Joint Address to Congress Leading to a Declaration of War Against Japan
On Dec. 7, Japanese torpedo planes and dive-bombers kill almost 2,400 Americans and destroy hundreds of aircraft, battleships, cruisers, and destroyers at the U.S. Naval Base at Pearl Harbor, Hawaii. In response, President Roosevelt asks Congress to declare war on Japan, to avenge what he calls a "date which will live in infamy" when "the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan." He receives near-unanimous approval from Congress to declare war on Japan, and the United States enters the Second World War.

1942

Executive Order 9066: Japanese Relocation Order—Following the bombing of Pearl Harbor, Executive Order 9066 is issued. It authorizes the evacuation of all Japanese Americans from the West Coast to relocation centers guarded by military police further inland.

1944

General Dwight D. Eisenhower's Order of the Day, June 6—This order authorizes the D-Day invasion of the beaches of Normandy, by American troops, in an effort to liberate France, which had fallen to the Germans earlier in the Second World War.

Servicemen's Readjustment Act—Also known as the G.I. Bill, this act, signed into law by President Roosevelt on June 22, provides veterans of the Second World War funds for college education, unemployment insurance, and housing.

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scoundrels upon the face of the globe." And in Carlisle, on December 26, anti-Federalist rioters broke up a Federalist celebration and hung Wilson and the Federalist chief justice of Pennsylvania, Thomas McKean, in effigy; put the torch to a copy of the Constitution; and busted a few Federalist heads.

In New York the Constitution was under siege in the press by a series of essays signed "Cato." Mounting a counterattack, Alexander Hamilton and John Jay enlisted help from Madison and, in late 1787, they published the first of a series of essays, now known as the *Federalist Papers*. The 85 essays, most of which were penned by Hamilton himself, probed the weaknesses of the Articles of Confederation and the need for an energetic national government. Thomas Jefferson later called the *Federalist Papers* the "best commentary on the principles of government ever written."

Against this kind of Federalist leadership and determination, the opposition in most states was disorganized and generally inert. The leading spokesmen were largely state-centered men with regional and local interests and loyalties. Madison wrote of the Massachusetts anti-Federalists: "There was not a single character capable of uniting their wills or directing their measures . . . They had no plan whatever." The anti-Federalists attacked wildly on several fronts the lack of a bill of rights, discrimination against southern states in navigation legislation, direct taxation, the loss of state sovereignty. Many charged that the Constitution represented the work of aristocratic politicians bent on protecting their own class interests. At the Massachusetts convention one delegate declared: "These lawyers, and men of learning and moneyed men, that . . . make us poor illiterate people swallow down the pill . . . they will swallow up all us little folks like the great Leviathan; yes, just as the whale swallowed up Jonah!" Some newspaper articles, presumably written by anti-Federalists, resorted to fanciful predictions of the horrors that might emerge under the new Constitution: pagans and deists could control the government; the use of Inquisition-like torture could be instituted as punishment for federal crimes; even the pope could be elected president.

One anti-Federalist argument gave opponents some

1945

Manhattan Project Notebook
The Manhattan Project, so-called because it is run after 1942 by a section of the army code-named the Manhattan District, is assigned the task of developing an atomic bomb. This notebook records an experiment of the Manhattan Project, the all-out but highly secret effort of the federal government to build an atomic bomb during World War II. Recorded here is the world's first controlled, self-sustaining nuclear chain reaction, achieved on Dec. 2, 1942.

Surrender of Germany—
In France, on May 7, German General Alfred Jodl signs the unconditional surrender of all German forces on all fronts, ending the European phase of World War II. The official German surrender, scheduled to take effect on May 8, follows Nazi leader Adolph Hitler's suicide, Berlin's surrender to the Soviet Army, and the surrender of several major German armies to British forces in northern Europe.

United Nations Charter—
In Dumbarton Oaks, Washington, D.C., and San Francisco the Allied powers create an international agency that will resolve conflicts among members, and discourage aggressor nations with military force if required. This new agency is known as the United Nations.

Surrender of Japan—
On Sept. 2, Japanese representatives sign the official instrument of surrender, prepared by the War Department and approved by President Truman. In eight short paragraphs, Japan surrenders to the Allies.

genuine difficulty—the claim that the territory of the 13 states was too extensive for a representative government. In a republic embracing a large area, anti-Federalists argued, government would be impersonal, unrepresentative, dominated by men of wealth, and oppressive of the poor and working classes. Had not the illustrious Montesquieu himself ridiculed the notion that an extensive territory composed of varying climates and people, could be a single republican state? James Madison, always ready with the Federalist volley, turned the argument completely around and insisted that the vastness of the country would itself be a strong argument in favor of a republic. Claiming that a large republic would counterbalance various political interest groups vying for power, Madison wrote: "The smaller the society the fewer probably will be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party and the more easily will they concert and execute their plans of oppression." Extend the size of the republic, Madison argued, and the country would be less vulnerable to separate factions within it.

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A BILL

RATIFICATION

BY JANUARY 9, 1788, five states of the nine necessary for ratification had approved the Constitution—Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut. But the eventual outcome remained uncertain in pivotal states such as Massachusetts, New York, and Virginia. On February 6, with Federalists agreeing to recommend a list of amendments amounting to a bill of rights, Massachusetts ratified by a vote of 187 to 168. The revolutionary leader, John Hancock, elected to preside Federalists with visions of the vice presidency and possibly the presidency. Hancock, whom Madison noted as "an idolater of popularity" suddenly experienced a miraculous cure and delivered a critical block of votes. Although Massachusetts was now safely in the Federalist column, the recommendation of a bill of rights was a significant victory for the anti-Federalists. Six of the remaining states later appended similar recommendations.

When the New Hampshire convention was adjourned by Federalists who sensed imminent

1947

Truman Doctrine—Fears that Greece and Turkey might fall to the communist Soviet Union prompt President Harry Truman to articulate the "Truman Doctrine." This doctrine states that world peace and the well-being of all Americans depends on the containment of communism around the world.

1948

Marshall Plan—On April 3 President Truman signs the Economic Recovery Act of 1948. It becomes known as the Marshall Plan, named for Secretary of State George Marshall, who in 1947 proposed that the United States provide economic assistance to restore the economic infrastructure of post war Europe.

Press Release Announcing U.S Recognition of Israel—At midnight on May 14, the Provisional Government of Israel proclaims a new State of Israel. On that same date, the United States, in the person of President Truman, recognizes the provisional Jewish government as de facto authority of the Jewish state (de jure recognition is extended on January 31).

Executive Order 9981: Desegregation of the Armed Forces—President Harry Truman establishes the President's Committee on Equality of Treatment and Opportunity in the Armed Services, committing the government to racially integrating the military.

1953

Armistice Agreement for the Restoration of the South Korean State—This Armistice formally ends the war in Korea. North and South Korea remain separate, and occupy almost the same territory they had when the war began.

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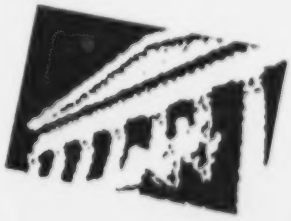
defeat and when Rhode Island on March 24 turned down the Constitution in a popular referendum by an overwhelming vote of 10 to 1, Federalist leaders were apprehensive. Looking ahead to the Maryland convention, Madison wrote to Washington: "the difference between even a postponement and adoption in Maryland may . . . possibly give a fatal advantage to that which opposes the constitution." Madison had little reason to worry. The final vote on April 28: 63 for, 11 against. In Baltimore' a huge parade celebrating the Federalist victory rolled through the downtown streets, highlighted by a 15 foot float called "Ship Federalist." The symbolically seaworthy craft was later launched in the waters off Baltimore and sailed down the Potomac to Mount Vernon.

On July 2, 1788, the Confederation Congress, meeting in New York, received word that a reconvened New Hampshire ratifying convention had approved the Constitution. With South Carolina's acceptance of the Constitution in May, New Hampshire thus became the ninth state to ratify. The Congress appointed a committee "for putting the said Constitution into operation."

In the next two months, thanks largely to the efforts of Madison and Hamilton in their own states, Virginia and New York both ratified while adding their own amendments. The margin for the Federalists in both states, however, was extremely close. Hamilton figured that the majority of the people in New York actually opposed the Constitution, and it is probable that a majority of people in the entire country opposed it. Only the promise of amendments had ensured a Federalist victory.



1954

Senate Resolution 301, Censure of Senator Joseph McCarthy—In 1950 Senator McCarthy, spurred by national fears of communism, begins making accusations against members of the government, the entertainment industry, and business. Despite an inability to produce evidence for his charges, McCarthy grows increasingly aggressive in his accusations. By 1954, when the Senate votes to censure him, much of his power has dissolved. This censure describes his behavior as "contrary to senatorial traditions."

Brown v Board of Education—The Supreme Court's decision in this case overrules the "separate but equal" principle set forth in the 1896 *Plessy v Ferguson* decision. The Court rules that "separate but equal" is inherently unequal and promotes racial supremacy. The unanimous decision states that state-sanctioned segregation of public schools is a violation of the 14th Amendment and is therefore unconstitutional.

1956

National Interstate and Defense Highways Act—This act authorizes the building of highways throughout the United States, the biggest public works project in the nation's history.

1957

Executive Order 10730: Desegregation of Central High School—Although the Supreme Court rules the principle of "separate but equal" illegal in the *Brown v Board of Education* case, Little Rock, Arkansas' Central High School refuses to comply with the court. President Dwight Eisenhower sends in federal troops by Executive Order to maintain order and peace, allowing the integration of Central High School to proceed.

THE BILL OF RIGHTS

THE CALL for a bill of rights had been the anti-Federalists' most powerful weapon. Attacking the proposed Constitution for its vagueness and lack of specific protection against tyranny, Patrick Henry asked the Virginia convention: "What can avail your specious, imaginary balances, your rope-dancing, chain-rattling, ridiculous ideal checks and contrivances." The anti-Federalists, demanding a more concise, unequivocal Constitution, one that laid out for all to see the right of the people and limitations of the power of government, claimed that the brevity of the document only revealed its inferior nature. Richard Henry Lee despaired at the lack of provisions to protect "those essential rights of mankind without which liberty cannot exist." Trading the old government for the new without such a bill of rights, Lee argued, would be trading Scylla for Charybdis.

A bill of rights had been barely mentioned in the Philadelphia convention, most delegates holding that the fundamental rights of individuals had been secured in the state constitutions. James Wilson maintained that a bill of rights was superfluous because all power not expressly delegated to the new government was reserved to the people. It was clear, however, that in this argument the anti-Federalists held the upper hand. Even Thomas Jefferson, generally in favor of the new government, wrote to Madison that a bill of rights was "what the people are entitled to against every government on earth."

By the fall of 1788 Madison had been convinced that not only was a bill of rights necessary to ensure acceptance of the Constitution but that it would have positive effects. He wrote, on October 17, that such "fundamental maxims of free Government" would be "a good ground for an appeal to the sense of community" against potential oppression and would "counteract the impulses of interest and passion."

1961

President Dwight D. Eisenhower's Farewell Address
In his farewell address, President Eisenhower warns against the establishment of a "military-industrial complex," where power can easily be misplaced and misused.

President John F. Kennedy's Inaugural Address—President John F. Kennedy calls for the service of a "new generation of young Americans" to help protect liberty and freedom in the United States and throughout the world.

Executive Order 10924: Establishment of the Peace Corps—Following the ideals set forth in his inaugural address, President Kennedy establishes the Peace Corps as a way for young Americans to assist developing nations by providing educational, technical, and medical assistance. Goals of the Peace Corps include: 1) To help the people of interested countries and areas in meeting their needs for trained workers; 2) To help promote a better understanding of Americans on the part of the peoples served; and 3) To help promote a better understanding of other peoples on the part of Americans.

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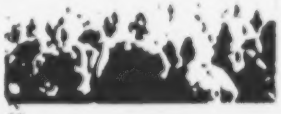
Madison's support of the bill of rights was of critical significance. One of the new representatives from Virginia to the First Federal Congress, as established by the new Constitution, he worked tirelessly to persuade the House to enact amendments. Defusing the anti-Federalists' objections to the Constitution, Madison was able to shepherd through 17 amendments in the early months of the Congress, a list which was later trimmed to 12 in the Senate. On October 2, 1789, President Washington sent to each of the states a copy of the 12 amendments adopted by the Congress in September. By December 15, 1791, three-fourths of the states had ratified the 10 amendments now so familiar to Americans as the "Bill of Rights."

Benjamin Franklin told a French correspondent in 1788 that the formation of the new government had been like a game of dice, with many players of diverse prejudices and interests unable to make any uncontested moves. Madison wrote to Jefferson that the welding of these clashing interests was "a task more difficult than can be well conceived by those who were not concerned in the execution of it." When the delegates left Philadelphia after the convention, few, if any were convinced that the Constitution they had approved outlined the ideal form of government for the country. But late in his life James Madison scrawled out another letter, one never addressed. In it he declared that no government can be perfect, and ". . . that which is the least imperfect is therefore the best government."



1962

Transcript of John Glenn's Official Communication with the Command Center— John Glenn conducts the first manned space orbit of the earth, increasing the prestige of the United States internationally. In this transcript he communicates with Mission Control in Florida.

Aerial Photograph of Missiles in Cuba— Instrumental in the early stages of the Cuban Missile crisis, these photographs show that the Soviet Union is amassing offensive ballistic missiles in Cuba. President Kennedy warns that any attempt by the Soviet Union to place nuclear weapons in Cuba will be seen as a threat to the United States.

1963

Test Ban Treaty— After the fears created by the Cuban Missile Crisis, the Limited Test Ban Treaty is signed by the United States, Great Britain and the Soviet Union. After Senate approval, the treaty, which goes into effect on Oct. 11, bans nuclear weapon tests in the atmosphere, in outer space, and under water.

Official Program for the March on Washington— On Aug. 28, approximately 250,000 people gather in front of the Lincoln Memorial to march in support of expanding civil rights for African Americans. The highlight of the march is Martin Luther King's "I have a dream" speech, in which he proclaims the Declaration of Independence applies to people of all races.

THE DOCUMENT ENSHRINED

THE FATE of the United States Constitution after its signing on September 17, 1787, can be contrasted sharply to the travels and physical abuse of America's other great parchment, the Declaration of Independence. As the Continental Congress, during the years of the revolutionary war, scurried from town to town, the rolled-up Declaration was carried along. After the formation of the new government under the Constitution, the one-page Declaration, eminently suited for display purposes, graced the walls of various government buildings in Washington, exposing it to prolonged damaging sunlight. It was also subjected to the work of early calligraphers responding to a demand for reproductions of the revered document. As any visitor to the National Archives can readily observe, the early treatment of the now barely legible Declaration took a disastrous toll.

The Constitution, in excellent physical condition after 200 years, has enjoyed a more serene existence. By 1796 the Constitution was in the custody of the Department of State along with the Declaration and traveled with the federal government from New York to Philadelphia to Washington. Both documents were secretly moved to Leesburg, Virginia, before the imminent attack by the British on Washington in 1814. Following the war, the Constitution remained in the State Department while the Declaration continued its travels—to the Patent Office Building from 1841 to 1876, to Independence Hall in Philadelphia during the Centennial celebration, and back to Washington in 1877.

On September 29, 1921, President Warren Harding issued an executive order transferring the Constitution and the Declaration to the Library of Congress for preservation and exhibition. The next day Librarian of Congress Herbert Putnam, acting on authority of Secretary of State Charles Evans Hughes, carried the Constitution and the Declaration in a Model-T Ford truck to the library and placed them in his office safe until an appropriate exhibit area could be constructed. The documents were officially put on display at a ceremony in the library on February 28, 1924.

On February 20, 1933, at the laying of the cornerstone of the future National Archives Building, President Herbert Hoover remarked: "There will be aggregated here the most sacred

1964

Civil Rights Act—Through the efforts of civil rights activists throughout the 1950s and early 1960s, many Americans come to support legislation that guarantees civil rights for African Americans, and President Lyndon Johnson signs the Civil Rights act into law in July. The act prohibits discrimination in public places, provides for the integration of schools and other public facilities, and makes employment discrimination illegal.

Tonkin Gulf Resolution—Passed by Congress after apparent attacks by the North Vietnamese on American ships in the Gulf of Tonkin, this act gives President Johnson authority to increase United States involvement in the war between North and South Vietnam.

1965

Social Security Act Amendments—Amid rising concern for the elderly and the poor, these amendments are adopted. They establish Medicare, a health insurance program for the elderly, and Medicaid, a health insurance program for the poor.

Voting Rights Act—This act outlaws the discriminatory voting practices adopted in many Southern states after the Civil War, including literacy tests as a prerequisite for voting. It also provides for federally supervised elections.

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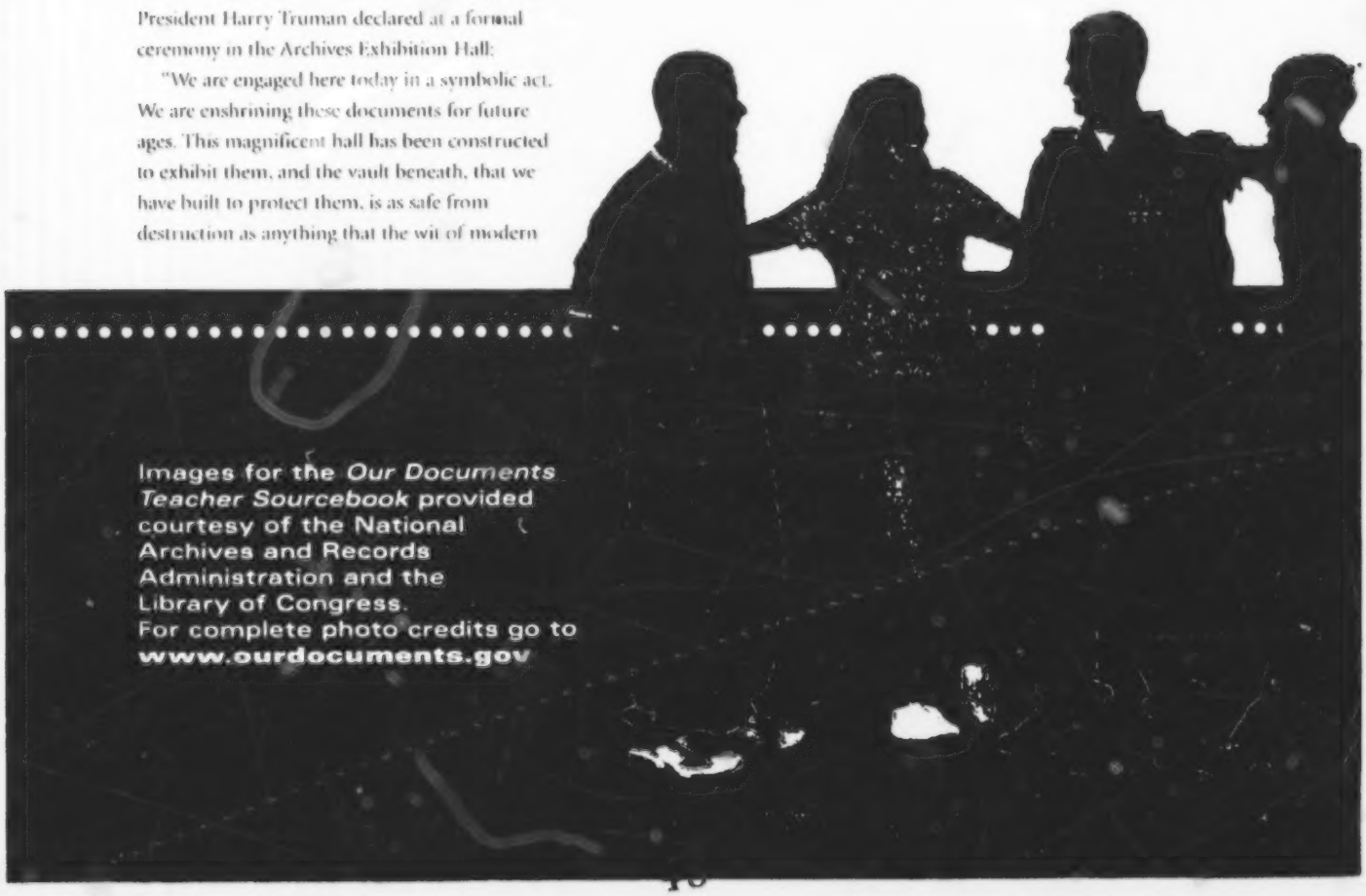
documents of our history—the originals of the Declaration of Independence and of the Constitution of the United States." The two documents, however, were not immediately transferred to the Archives. During World War II both were moved from the library to Fort Knox for protection and returned to the library in 1944. It was not until successful negotiations were completed between Librarian of Congress Luther Evans and Archivist of the United States Wayne Grover that the transfer to the National Archives was finally accomplished by special direction of the Joint Congressional Committee on the Library.

On December 13, 1952, the Constitution and the Declaration were placed in helium-filled cases, enclosed in wooden crates, laid on mattresses in an armored Marine Corps personnel carrier, and escorted by ceremonial troops, two tanks, and four servicemen carrying submachine guns down Pennsylvania and Constitution Avenues to the National Archives. Two days later, President Harry Truman declared at a formal ceremony in the Archives Exhibition Hall:

"We are engaged here today in a symbolic act. We are enshrining these documents for future ages. This magnificent hall has been constructed to exhibit them, and the vault beneath, that we have built to protect them, is as safe from destruction as anything that the wit of modern man can devise. All this is an honorable effort, based upon reverence for the great past, and our generation can take just pride in it."

HISTORY IN THE RAW

YOU HAVE READ about a piece of our past, now see the full story at **www.ourdocuments.gov**. Look at what George Washington actually wrote in his inaugural address, how much America paid for Alaska, and many other documents created by those who participated in and witnessed our history. Check out **www.ourdocuments.gov** today.



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Using the 100 Documents in the Classroom

Three Sample Lessons

Lesson One:
Thomas Jefferson and the Louisiana Purchase

Lesson Two:
Patents: Alexander Graham Bell and Thomas Edison

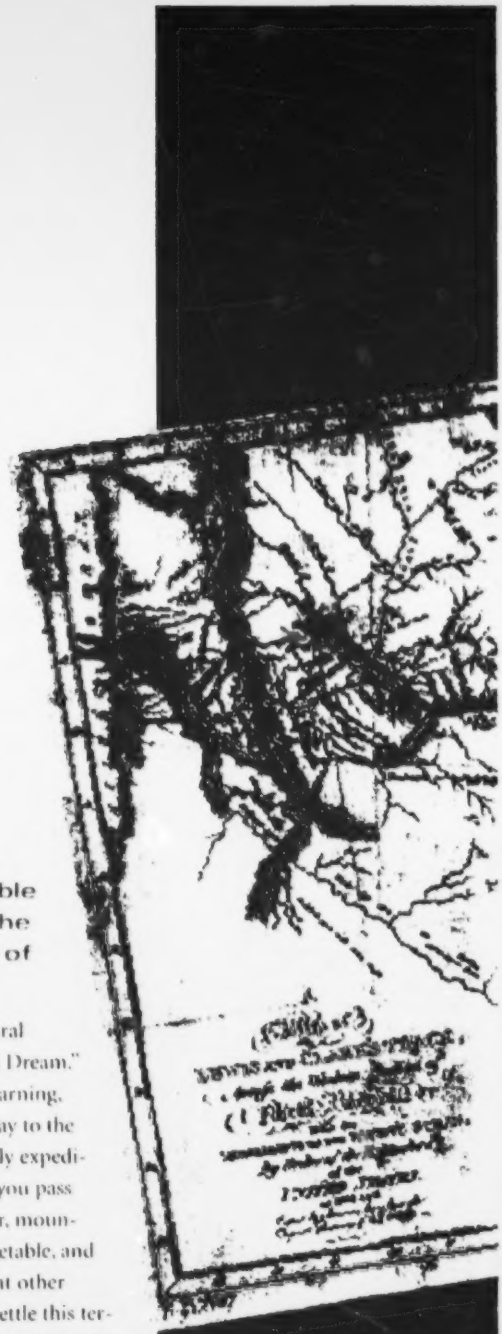
Lesson Three:
Brown v Board of Education of Topeka Kansas

Supreme Court

No. 1 ---

46

Lesson One:
Thomas Jefferson and the Louisiana Purchase



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Background

When Thomas Jefferson became president in 1801, the United States thrived in almost incomprehensible isolation from the rest of the world. The population of the nation was a little more than 5 million, with 90 percent of the people living east of the Appalachian Mountains.

Many were timid and fearful regarding the course of action the young government should take. A less visionary president might have kept the country carefully confined to the eastern seaboard. Yet through the vigorous action of this president, the will of the nation to expand westward was greatly strengthened. Jefferson led by planning the Lewis and Clark Expedition as a means of finding a water route that would link the two coasts and by purchasing the Louisiana Territory from France. His motivations were as multifaceted as his intellect. Expansion westward matched his vision of America as a "vast domain of liberty." Unlike Europe, with its poverty-stricken landless hordes, Jefferson's America would be built by small-property owners who would find sustenance on their "little portion of land." Beyond the Appalachians stretched a natural spillover for Jefferson's "American Dream." A man with a lifelong thirst for learning, Jefferson was fascinated by what lay to the west. He told one leader of an early expedition: "Take notice of the country you pass through, its general face, soil, river, mountains, its productions, animal, vegetable, and mineral." Finally, Jefferson saw that other European countries would soon settle this territory if the United States did not—the Spanish, the French, and the British all saw great opportunity there. But Jefferson saw it, too, and acted swiftly to purchase Louisiana at a moment Napoleon's European troubles made it necessary. The president's energy and commitment to these two endeavors shaped the course of America from "sea to shining sea."

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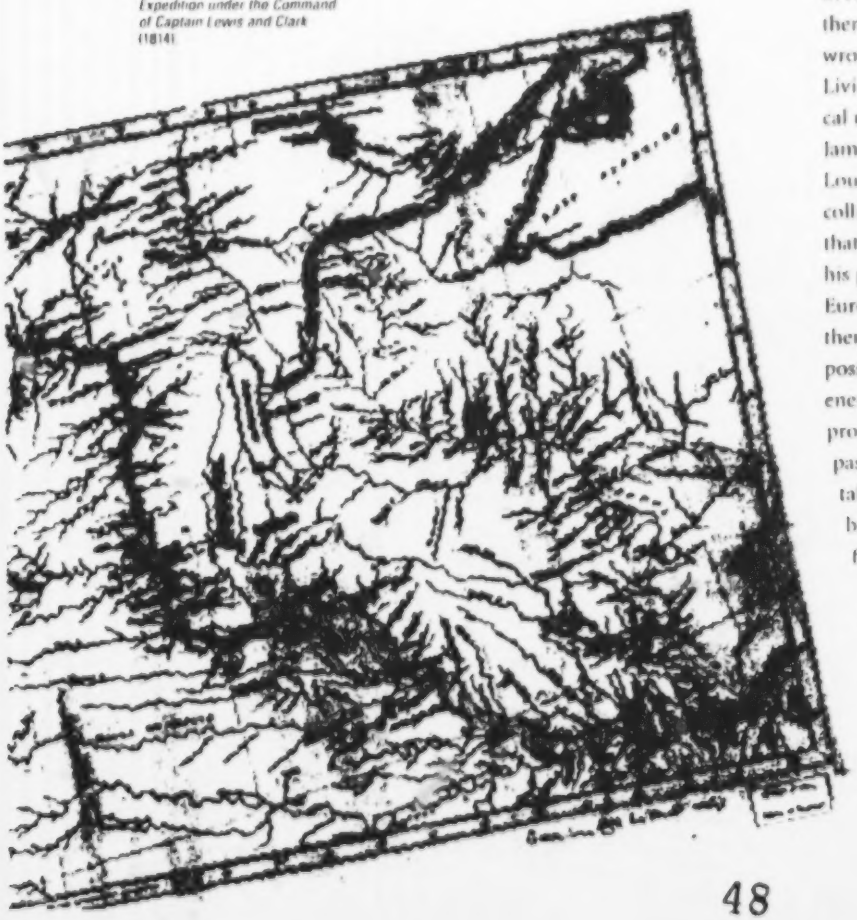
Thomas Jefferson and the Louisiana Territory

No measure of Thomas Jefferson's presidential administration captured the public imagination, and no policy approach so significantly affected the character of the nation, as did the acquiring of the Louisiana Territory.[1] Yet long before his presidency, Jefferson was keenly interested in the land to the west of the Mississippi River.

Years passed, and Thomas Jefferson did not actively work toward another expedition to the West. In the interim, as the result of a constitutional election quirk, he had become vice president to the Federalist John Adams. Despite that position, as the leader of the Republicans Jefferson was fully occupied opposing various Federalist policies, especially those having to do with postrevolutionary France and the hated Alien and Sedition Acts. Even when he won the presidency in 1800, he was in no hurry to rush expansion westward. After all, Spain, now a weak power in Europe, held the Louisiana Territory. It was only a matter of time before Spain would release its grip on a huge area of land increasingly hard to defend, and then the natural spillover of the East would create American farms and villages in the West. For the time being, farmers from the Ohio Valley had permission from the Spanish to deposit their goods at the port at New Orleans for shipment abroad. The vision could wait.

Lewis and Clark Track Map
Based on a map kept by William Clark, this engraved copy accompanied Nicholas Biddle's *History of the Expedition under the Command of Captain Lewis and Clark* (1814).



Incidents and Opportunities

Then came some news that foretold changes in the status quo. First was the revelation that in late 1800 Napoleon Bonaparte had secretly negotiated a treaty transferring Louisiana from Spain to France, a retrocession. By the time President Jefferson heard this news, in April 1802, he understood immediately that there had been an important power shift. He wrote the U.S. Minister to France, Robert Livingston, "It completely reverses all the political relations of the U.S."[2] Secretary of State James Madison cautioned Jefferson that Louisiana in French hands would "cause daily collisions." Alarmed, Jefferson feared for a time that Napoleon might force him to reconsider his position of "no entangling alliances" with European nations. He told Livingston that there was "on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market," adding that, "the day France takes possession of New Orleans . . . [we will be forced to] marry ourselves to the British fleet and nation."[3]

The second disturbing change came with a proclamation by the Spanish administrator at New Orleans in October 1802 that the right of deposit at the port of New Orleans was to be suspended, though the privilege was guaranteed in the Pinckney

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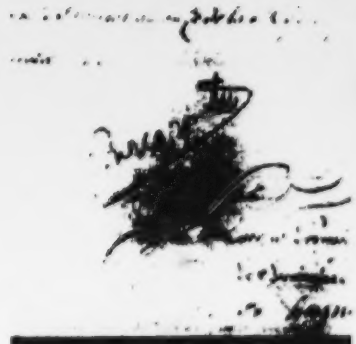

Lesson One:
Thomas Jefferson and the Louisiana Purchase
CONTINUED

Treaty of 1795. Without that right, the lower Mississippi would be virtually closed to American shippers, a situation not to be tolerated. As James Madison had said, "The Mississippi is to them [Americans west of the Appalachians] everything. It is the Hudson, the Delaware, the Potomac, and all the navigable rivers of the Atlantic states, formed into one stream."[1] Indeed, Westerners were upset and clamored for a solution, even if it meant war with France.

Napoleonic Headaches

Jefferson understood perfectly that action must be taken, but he was in a dilemma. Though he had threatened it, the president really did not want to form an alliance with Great Britain; neither did he want to go to war with France, a nation whose revolution he had vigorously supported. Jefferson acted decisively but carefully. He asked and received funds from Congress for an expansion of the army and the construction of a river fleet. It left the distinct impression that American forces just might, under the right circumstances, descend the Mississippi to New Orleans. At the same time, he tried peaceful negotiations. In March 1803 he commissioned James Monroe as envoy extraordinary to France, with a set of instructions for himself and the regular minister, Robert Livingston, in Paris. They were to offer up to $10 million for the purchase of New Orleans and part of the Floridas. If France refused, they would offer to buy the city of New Orleans alone. Finally, if Monroe and Livingston could not work out a satisfactory arrangement, they were to cross the English Channel and begin discussions with the British. What amazed Monroe when he arrived in Paris was that Napoleon's finance minister, Barbé-Marbois, had already approached Livingston to ask what the Americans would pay for the *whole* of Louisiana! When Livingston relayed the news to Monroe, he could hardly believe it. They both realized that purchasing all of Louisiana was certainly outside their bargaining instructions. Yet, thinking it wasn't a good time to quibble over the instructions, they signed the treaty on April 30, 1803.[2]

That the leader of France was considering ridding himself of Louisiana wasn't as surprising as it seemed at the outset. Napoleon had suffered some setbacks in *his* vision to re-establish a French empire in North America, with Louisiana as its centerpiece. There had been a slave revolt in the French-held island of Santo Domingo. Crack French troops—5,000 in all—had been sent to quell the revolt, but tropical mosquitoes had brought yellow fever and death to thousands of them. Perhaps the French could hold the island, but at a huge cost. The troubles there had prompted Napoleon to exclaim, "Damn sugar, damn coffee, damn colonies!" That wasn't all. France was about to resume war against England; Napoleon needed a war chest. Moreover, considering the power of the English navy, the British might well prevent the French from taking possession of such a significant portion of land in North America, and President Jefferson had flatly declared that if the French attempted to land troops in Louisiana, there could be war. If Napoleon Bonaparte couldn't defend the land he owned, why not be rid of it, and in the process re-establish an alliance with the United States?

Thinking Beyond the Edge

So it was that the United States acquired the whole of the Mississippi River and its western tributaries, about 828,000 square miles of territory, rich areas of farmland, and fantastic natural resources. The cost was $15 million.[3] For the United States, the acquisition of Louisiana came as a windfall of Napoleon's European and colonial troubles. That the treaty was quickly ratified, before the French leader could change his mind, had a lot to do with Jefferson's flexible thinking and vision. As the leader of the Republicans, the president

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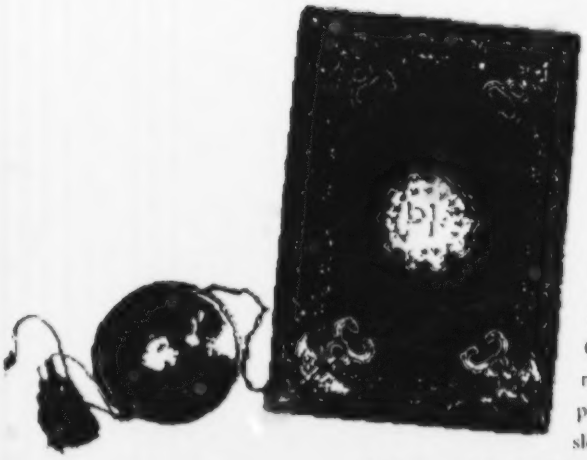
had always presented himself as a strict constructionist of the Constitution. In his way of thinking, the power of a national government was always potentially dangerous. One way to limit that power, especially that of the president, was to apply a strict interpretation to the language of the Constitution. Based on that philosophy, Jefferson had big problems with two aspects of the acquisition. He did not believe that the president had the right to increase the national domain by a treaty of purchase—a real estate deal. Another problem: The treaty stated that the United States was to incorporate the residents of Louisiana into the Union and grant them the same rights and privileges as other citizens. The implication was that sections of Louisiana would become states. Jefferson wondered if he and the Congress had the power to bring into the nation whole groups of people who were outside its original limits?



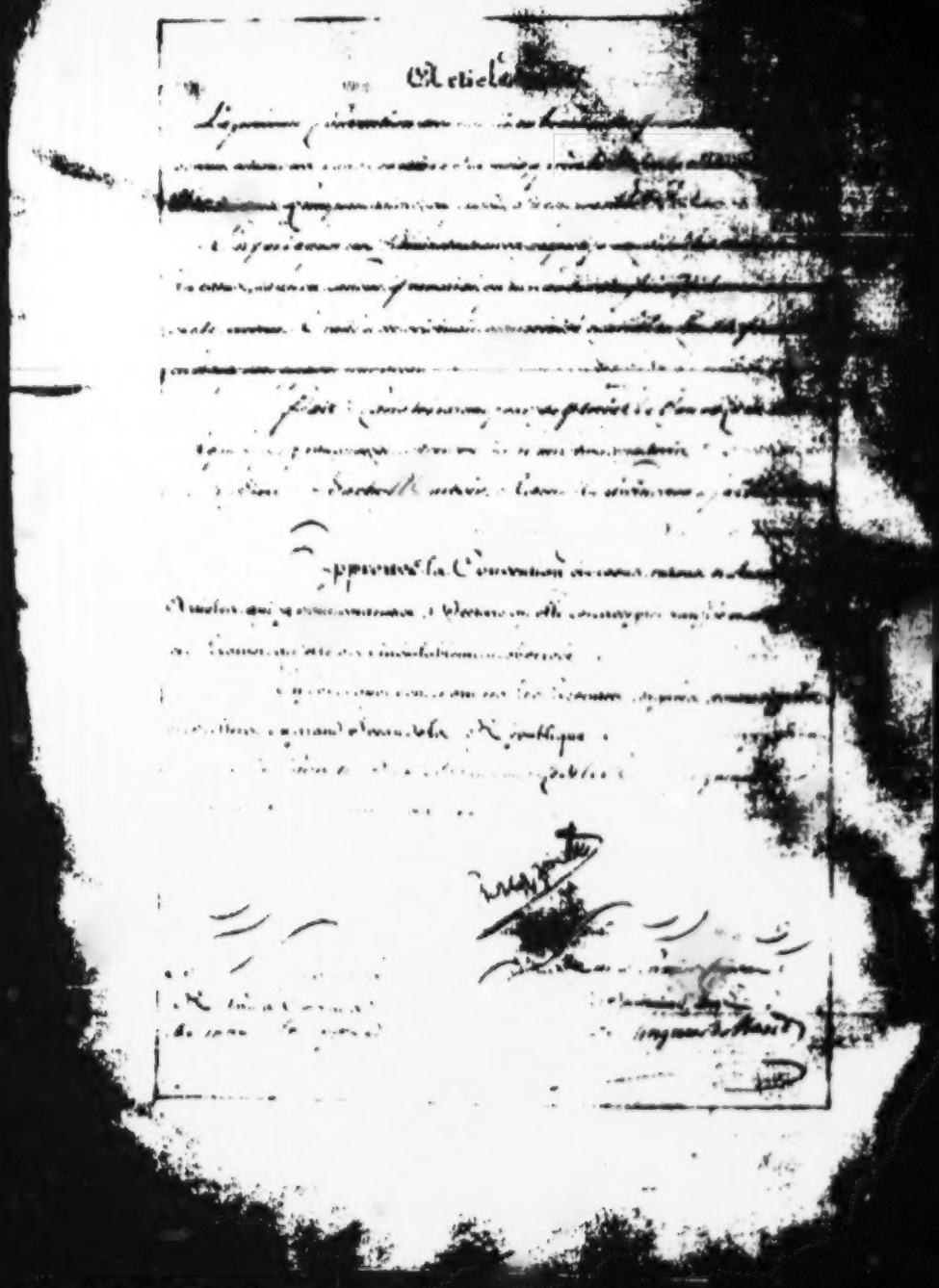
Louisiana Purchase Treaty, 1803
Robert Livingston and James Monroe closed on the sweetest real estate deal of the millennium when they signed the Louisiana Purchase Treaty in Paris on April 30, 1803.

President Jefferson believed both of these actions required amendments to the Constitution, yet he realized that the process was painfully slow. As his advisors had warned, by the time they were added, Napoleon might have changed his mind and withdrawn the offer. Jefferson understood the importance of Louisiana to the future of the country, and adjusted his thinking accordingly. His would not allow his constitutional fervor to endanger the speedy ratification of the treaty by the Senate. By the time he called the Congress into session three weeks early, Jefferson told James Madison: "I infer that the less we say about constitutional difficulties respecting Louisiana the better, and that what is necessary for surmounting them must be done." While continuing to voice his scruples privately, putting himself on record "as recognizing the dangers of construction against which [in the future] we must ever be on guard," he pressed for the Senate's approval.

Certain Federalists argued vehemently that there was no constitutional permission for the Louisiana transfer and that it cost too much at a time when the Republicans were supposedly pledged to a small federal budget. Yet reflecting the positive sentiments of the people regarding Jefferson's move, the Senate ratified the treaty in just four days. Perhaps Jefferson was explaining his actions when, shortly after his retirement to Monticello, he wrote, "A strict observance of the written laws is doubtless *one* of the highest duties of a good citizen, but it is not *the highest*. The laws of necessity, of self preservation, of saving the country when in danger are of higher obligation." Jefferson believed that a French Louisiana to the west could be dangerous to the United States. To him it interfered with a clear view he had of America's destiny. An opportunity had presented itself, with implications for the nation's future that were profound; thus, the president behaved in ways that were different from his reaction to "normal events." He was willing to accept the judgment of the people as to his choice, noting: "The line of discrimination between cases is most difficult; but the good officer is bound to draw it at his peril; and throw himself on the justice of his own country." Most believed that, in this case, he had made a good decision.

The United States acquired the Louisiana Territory in part because France was experiencing difficulties with its colonies and with Britain. On other occasions since then, the United States has acquired land as a result of another country's political, social, or military difficulties.

Despite constitutional questions, President Thomas Jefferson supported the purchase of Louisiana from the French. Since that time there have been other occasions when the United States acquired land through purchase.



Lesson One:
Thomas Jefferson and the Louisiana Purchase
CONTINUED

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The Constitutional Construction Debate

Though the Louisiana Purchase, supported by President Jefferson, seemed like one sweet deal, not everyone was impressed. President Jefferson wasn't sure it was constitutional to purchase land by treaty. He also had a question about whether communities of people living in the Louisiana Territory could be organized into states and its citizens brought into the country on an equal footing with other U.S. citizens. Despite his worries about whether constitutional amendments should be added to grant this permission, he recommended that the Senate ratify the terms of the treaty without further talk of amendments. He later defended his decision on these grounds:

"A strict observance of the written laws is doubtless one of the highest duties of a good citizen, but it is not the highest. The laws of necessity, of self-preservation, of saving the country when in danger are of higher obligation. To lose our country by a scrupulous adherence to written laws, would be to lose the law itself . . . thus absurdly sacrificing the end to the means. . . . It is incumbent on [the duty of] those only who accept great charges, to risk themselves on great occasions, when the safety of the nation, or some of its very high interests are at stake. An officer is bound to obey orders; yet he would be a bad one who should do it in cases for which they were not intended, and which involve the most important consequences. The line of discrimination between cases may be difficult; but the good officer is bound to draw it at his peril; and throw himself on the justice of his own country, and the [rightness] of his own motives."[10]

Thomas Jefferson
In January 18, 1803, President Thomas Jefferson asked Congress for $2,500 to explore the West; part of the letter is shown next to Jefferson's picture.

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Activity:

Review the U.S. Constitution, Article I, section 8, last paragraph; Article II, section 1; and Article IV. Then write a two-minute ***Sound Off*** choosing either one of the statements below as inspiration for your remarks. Pick an "honorable opponent" and have a ***Sound Off Stand Off,*** drawing lots to determine who speaks first. Each of you has exactly two minutes to make your arguments. Ask your classmates to choose a winner by applauding wildly the speaker with the best arguments. Then bask in your triumph, or admit defeat!

Position 1: *Who is President Jefferson kidding? This argument is nothing but an effort on his part to circumvent the Constitution. What it means is that if he doesn't want to be hemmed in by the Constitution, he and the Congress can simply choose not to obey it. This time it's "crucial" because of a worthless expanse of grass and woods? What next? Why, it's an absolute recipe for tyranny!*

Position 2: *This is a fine example of President Jefferson having the good sense not to lose a wonderful opportunity! We're going to have the French off our backs, and someone wants to protest his taking a few liberties with the language of the Constitution? The Constitution is supposed to be a flexible document. Besides why wouldn't we assume that the president and the Senate could make a treaty to buy some land? I don't see any rule against it. What's the big deal?*

Endnotes

1. Robert M. Johnstone, Jr. *Jefferson and the Presidency: Leadership in the Young Republic.* (Ithaca, NY: Cornell University Press, 1978) 67.

2. Richard N. Current, et al., *American History, A Survey* (New York: Alfred A. Knopf, 1987), 205.

3. John M. Blum, et al., *The National Experience, A History of the United States* (New York: Harcourt Brace Jovanovich, Inc., 1981), 173.

4. Blum, et al., *National Experience*, 172.

5. Blum, et al., *National Experience*, 173.

6. Blum, et al., *National Experience*, 173.

7. Johnstone, *Jefferson and the Presidency*, 72.

8. Johnstone, *Jefferson and the Presidency*, 73.

9. Johnstone, *Jefferson and the Presidency*, 73.

10. Johnstone, *Jefferson and the Presidency*, 74.

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Lesson Two:

Alexander Graham Bell's Patent for the Telephone and Thomas Edison's Patent for the Electric Lamp

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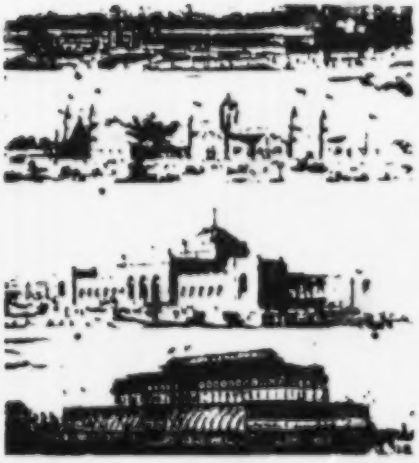

1876 Centennial Exhibition
Exhibition Buildings from *The Illustrated History of the Centennial Exhibition*, by James D. McCabe, published in Philadelphia, 1876.

Background

In 1876 Americans held a Centennial Exhibition in Philadelphia to celebrate the nation's birth 100 years earlier. It was the first world's fair to be held in the United States, and it announced for all to see that the nation had come of age as an industrial power. More than 8 million Americans attended, many traveling the railways that now spanned the continent. Of all the exhibition buildings, Machinery Hall drew the most admiration and wonder. Its displays were powered by the world's largest steam engine. Inside, inventions by two of America's greatest inventors were on display. Alexander Graham Bell exhibited the first telephone, and Thomas Alva Edison presented the automatic telegraph, one of more than 1,000 inventions he would patent in his lifetime. Together their inventions changed American life in ways that still affect us today.

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Lesson Two:
Alexander Graham Bell's Patent for the Telephone and Thomas Edison's Patent for the Electric Lamp

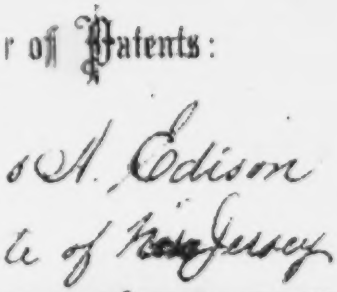
Alexander Graham Bell

Alexander Graham Bell (1847-1922) was born in Scotland and moved to Boston in 1872 to open a school for teachers of the deaf. He became a U.S. citizen in 1882. His early experiments included ways to improve and use telegraphy. The telegraph conveyed messages through a system of electrical sounds that, when decoded, could be translated into words. It was dependent on skilled technicians and never became a home appliance. Rather, it required you to go to a telegraph office to send or receive a message, or perhaps a messenger did this for you. Bell sought something revolutionary: to transmit not only the sound of the human voice, but audible words. With the telephone, Bell wrote in 1878, "It is possible to connect every man's house, office or factory with a central station, so as to give him direct communication with his neighbors."

Thomas Edison

Thomas Edison (1847-1931) was born in Ohio and grew up in Michigan. His formal education lasted at most four years, in part because his teachers complained that he asked too many questions. By age 12 he was a newsboy and candy seller on the railways. Working as a telegraph operator gave him some of his early lessons in the uses of electricity. Among Edison's many patents were ones for totally new inventions as well as those that dramatically improved the inventions of others. These included patents for the electric motor, motion picture projector, storage battery, Dictaphone, duplicating machine, typewriter, and phonograph (his most original). But his most far-reaching achievement was his patent for improving the incandescent lightbulb.

Before the invention of the electric lightbulb, homes were lit by candle, kerosene-oil lamp, or gaslight. All flickered, were fire hazards, and emitted smoke and heat. Other inventors of the day were experimenting with a glass globe that, if emptied of air, could contain a light that would not burn out. But no one could find a suitable filament, or wire. The filament creates light when an electric current passes through it, but it must neither burn out quickly nor melt. Edison solved this problem by using carbonized cotton.



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To the Honorable Commissioner of Patents:

Your Petitioner Thomas A. Edison

of Llewellyn Park in the State of New Jersey

prays that LETTERS PATENT may be granted to him

for the invention of an Improvement on Electric Lamps

and in the specification of same, (Case No. 186.)

set forth in the annexed specification.

And further prays that you will recognize LEMUEL W. SERRELL of the City of New York, N. Y., as his Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the Patent, and to transact all business in the Patent Office connected therewith.

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The Growth of the Corporation

A vision such as Bell's could not become a reality without enormous sources of capital (money) to mass-produce telephones, lay cables, and establish switchboards. Likewise the incandescent light was of little use until houses could be linked by electric wires to powerful generators.

Until the Industrial Revolution, a shop owner did not need to raise great sums of money to invest in expensive machinery. He probably made his goods by hand and sold them directly to the customer. He therefore did not need to advertise his goods far and wide. A business was usually the responsibility of one person, a proprietor, who hired others and accepted total financial responsibility if the venture went under. Partnerships were able to raise greater capital because two or more people pooled their money. But if their partnership failed, all the partners were personally liable; any assets they owned could be seized to pay their debts.

The Civil War gave impetus to many new industries on a scale never before seen in America. What was needed was a new way to fund them. The corporation solved the problem. Corporations are legal entities chartered by state governments. To establish a corporation, money is raised from many investors. Each investor then owns shares of the company, represented by the stock certificates the corporation issues to its shareholders. If the company earns a profit, the corporation will divide its profit with its investors and pay dividends. (The greater the number of shares you own, the greater your dividend.) The value of the corporation's stock will go up. But if the corporation fails, each investor will only lose what he or she invested.

When the U.S. government granted Edison and Bell their patents, it put them at a distinct advantage over their competitors. They and they alone were given the right to profit from their inventions for a specified time period (today it is 20 years). While both men were primarily inventors, not entrepreneurs, neither wasted time before either founding companies or granting their patent rights to others for manufacture.

Resources

- Mackay, James. *Alexander Graham Bell: A Life.* New York: John Wiley & Sons, Inc., 1997. An up-to-date and scholarly account.
- Silverberg, Robert. *Light for the World: Edison and the Power Industry.* Princeton, NJ: D. Van Nostrand Co., 1967. Especially good for the connection between invention and industry.
- Twain, Mark. *The Autobiography of Mark Twain.* Edited by Charles Neider. New York: Harperperennial Library, 1959 (still in paper). See Chapter 45, which has a hilarious account of Twain's attempt to be an investor in new inventions, including the telephone.
- Vries, Leonard de. *Victorian Inventions.* New York: American Heritage Press, 1971. A delightful pictorial account, including many fanciful ideas that were never marketed.
- *The Sound and the Silence.* An excellent two-part video about the life of Alexander Graham Bell. Available from Turner Home Entertainment #6295.

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Lesson Two:
Alexander Graham Bell's Patent for the Telephone and Thomas Edison's Patent for the Electric Lamp
CONTINUED

r of Patents:

s A. Edison
e of New Jersey

Patent for Electric Lamp
Thomas Edison's Electric Lamp Patent Drawing and Claim [Incandescent Light Bulb].
For the full document go to www.ourdocuments.gov

The Documents

Alexander Graham Bell's Telephone Patent Drawing
National Archives and Records Administration Records of the Patent and Trademark Office Record Group 241

Thomas Edison's Electric Lamp Patent Drawing
National Archives and Records Administration Records of the Patent and Trademark Office Record Group 241

These documents also available at

Teaching Activities

Constitutional Connection

This lesson relates to the power of Congress to pass laws related to the granting of patents (Article I, Section 8, Clause 8).

Cross-curricular Connections

Share this exercise with your colleagues in history, government, language arts, and science.

Analyzing the Document

1. Provide each student with a photocopy of each of the featured documents, and make a transparency with the following questions: **What types of documents are these? What are the dates of the documents? Who wrote the documents? What is the purpose of the documents? What information in the documents helps you understand why they were written? What can you deduce about the process of applying for a patent from these two documents? What makes them legal documents as opposed to merely personal requests? Why was a drawing a necessary part of the application process? Are the drawings done to scale? Why are parts of each invention numbered and lettered?**

Ask one student to read the documents aloud as the others read silently. Lead the class in oral responses to the questions.

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2. Direct students to study Bell's patent drawing and determine what part of the telephone apparatus each letter in Bell's Figure 7 represents. Challenge students to do the research to find out whether they were correct.

Research and Compare

3. Bell and Edison led fascinating lives in tandem. At different points in time they even made improvements to each others' inventions! Divide students into pairs.

Ask student A in each pair to read a short biographical account about Bell and student B about Edison. Ask each pair to exchange information and determine what qualities these inventors shared. Ask students if they think all inventors share these qualities.

Analyze Effects

4. Ask students to name all appliances in their homes that operate by electricity. Ask them to imagine one week in their lives without a telephone. Then, ask students to imagine how life was conducted differently in the early 19th century.

Next, using the following list of categories, lead a class discussion in which students brainstorm how the telephone and electric light changed life in the United States. Ask in what ways did each invention affect the following sectors:

a. Environment
b. Workplace
c. Home life
d. A previously existing industry
e. Creation of a new industry
f. Women
g. Social classes from poor to rich
h. Urban life and growth of cities
i. Rural life and farms
j. Leisure time and entertainment
k. Safety and health
l. Etiquette and social interaction
m. Warfare

A Timeline of U.S. Inventions

5. Post on your classroom wall a timeline dated from 1800 to the present. Set up groups of students to research the significant inventions patented during a specific time frame — for example, assign a decade or quarter-century to groups of three. Students should be encouraged to use their school library resources as well as on-line resources. Ask each group to draw each invention it finds on one index card, and to write a description of its impact on another. All information can be tacked onto the timeline.

When the timeline is complete, ask the entire class to pick one invention in every quarter century that they think made the greatest overall impact. This should generate some lively debate.

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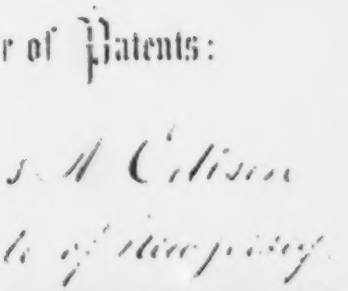
Lesson Two: *Alexander Graham Bell's Patent for the Telephone and Thomas Edison's Patent for the Electric Lamp*
CONTINUED


r of Patents:

Create a Corporation

6. Conduct a simulation to help students experience the steps necessary to create a corporation.

First, discuss with students the differences between a proprietorship, a partnership, and a corporation.

Second, divide the class into six small groups and ask each group to complete the following tasks:

a. Imagine an invention that will change our lives in the 21st century.

b. Draw it and write the specifications for it.

c. Explain how it will be manufactured and distributed.

d. Create an advertisement for it explaining its uses and desirability.

e. Decorate a box to be filled with investments by students in the other groups who wish to invest in the company that will manufacture your invention.

Third, give $500 of play money to each student (10 $50 bills). Tell them that they will be able to invest this money in any corporation except the one they have founded. Fourth, ask a representative from each corporation-group to present their product and plans to the class (the prospective investors). Fifth, set up a sale time where class members can invest their money. Direct students to "invest" by inserting the money they wish to invest into the appropriate box.

Sixth, when the time to invest is done, count up the money collected in each box and report the amounts to the students. Finally, discuss with students why they invested where they did.

Alexander Graham Bell's Telephone Patent Drawing and Oath
Bell's telephone was the first apparatus to transmit human speech via machine. His work culminated in one of the most profitable and contested of all 19th-century patents. For the full document go to www.ourdocuments.gov

Research and Compare

7. Ask students to compare the breakup of AT&T in 1982 to the litigation for the late 1990s against Microsoft. Identify the sections of the Constitution and acts of Congress under which the suits were initiated. Ask students to evaluate the benefits of competition over universal and standardized service. When buying out its competitors for long-distance service, Bell Telephone claimed that the nation was better served by "one policy, one system, universal service." Ask students what claims Microsoft is now making in its defense?

8. Ask students to compare the management of public utilities in the United States and in a country whose government, rather than the private sector, is responsible for those services. Ask students to determine the advantages and disadvantages of each system.

Adapted from an article written by Joan Brodsky Schur, a teacher at Village Community School in New York, New York.

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Lesson Three:
Brown v Board of Education of Topeka, Kansas

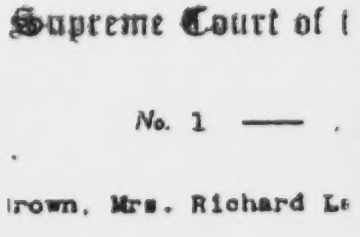
Reprinted Courtesy of the National Archives and Records Administration

Background

On May 17, 1954, U.S. Supreme Court Chief Justice Earl Warren delivered the unanimous ruling in the landmark civil rights case *Brown v Board of Education of Topeka, Kansas*. State-sanctioned segregation of public schools was a violation of the 14th Amendment and was therefore unconstitutional. This historic decision marked the end of the "separate but equal" precedent set by the Supreme Court almost 60 years earlier and served as a catalyst for the expanding civil rights movement during the decade of the 1950s.

While the 13th Amendment to the United States Constitution outlawed slavery, it wasn't until three years later, in 1868, that the 14th Amendment guaranteed the rights of citizenship to all persons born or naturalized in the United States, including due process and equal protection of the laws. These two amendments, as well as the 15th Amendment protecting voting rights, were intended to eliminate the last remnants of slavery and to protect the citizenship of black Americans. In 1875, Congress also passed the first Civil Rights Act, which held the "equality of all men before the law" and called for fines and penalties for anyone found denying patronage of public places, such as theaters and inns, on the basis of race. However, the Supreme Court reasoned that this act was beyond the scope of the 13th and 14th amendments, as these amendments only concerned the actions of the government, not those of private citizens. With this ruling, the Supreme Court narrowed the field of legislation that could be supported by the Constitution and at the same time turned the tide against the civil rights movement.

By the late 1800s, segregation laws became almost universal in the South where previous legislation and amendments were, for all practical purposes, ignored. The races were separated in schools, in restaurants, in restrooms, on public transportation, and even in voting and holding office. In 1896 the Supreme Court upheld the lower courts' decision in the case of *Plessy v Ferguson*. Homer Plessy, a black man from Louisiana, challenged the constitutionality of segregated railroad coaches, first in the state courts and then in the U. S. Supreme Court. The high court upheld the lower courts, noting that since the separate cars provided equal services, the equal protection clause of the 14th Amendment was not violated. Thus, the "separate but equal" doctrine became the constitutional basis for segregation. One dissenter on the Court, Justice John Marshall Harlan, declared the Constitution "color blind" and accurately predicted that this decision would become as baneful as the infamous Dred Scott decision of 1857.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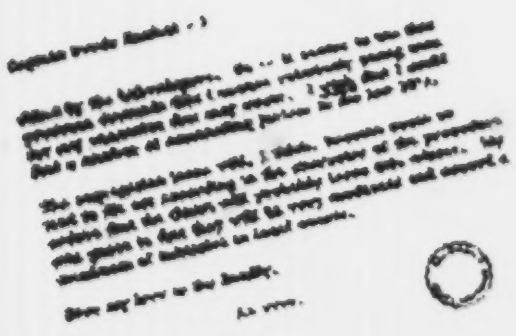
In 1909 the National Association for the Advancement of Colored People was officially formed to champion the modern black civil rights movement. In its early years its primary goals were to eliminate lynching and to obtain fair trials for blacks. By the 1930s, however, the activities of the NAACP began focusing on the complete integration of American society. One of their strategies was to force admission of blacks into universities at the graduate level where establishing separate but equal facilities would be difficult and expensive for the states. At the forefront of this movement was Thurgood Marshall, a young black lawyer who, in 1938, became general counsel for the NAACP's Legal Defense and Education Fund. Their significant victories at this level included *Gaines v University of Missouri* in 1938, *Sipuel v Board of Regents of University of Oklahoma* in 1948, and *Sweatt v Painter* in 1950. In each of these cases, the goal of the NAACP defense team was to attack the "equal" standard so that the "separate" standard would in turn become susceptible.

By the 1950s, the NAACP was beginning to support challenges to segregation at the elementary school level. Five separate cases were filed in Kansas, South Carolina, Virginia, the District of Columbia, and Delaware: *Oliver Brown et al. v Board of Education of Topeka, Shawnee County, Kansas, et al.; Harry Briggs, Jr., et al. v R.W. Elliott, et al.; Dorothy E. Davis et al. v County School Board of Prince Edward County, Virginia, et al.; Spottswood Thomas Bolling et al. v C. Melvin Sharpe et al.; Francis B. Gebhart et al. v Ethel Louise Belton et al.* While each case had its unique elements, all were brought on behalf of elementary school children, and all involved black schools that were inferior to white schools. Most important, rather than just challenging the inferiority of the separate schools, each case claimed that the "separate but equal" ruling violated the equal protection clause of the 14th Amendment. The lower courts ruled against the plaintiffs in each case, noting the *Plessy v Ferguson* ruling of the United States Supreme Court as precedent. In the case of *Brown v Board of Education*, the federal district court even cited the injurious effects of segregation on black children, but held that "separate but equal" was still not a violation of the Constitution. It was clear to those involved that the only effective route to terminating segregation in public schools was going to be through the United States Supreme Court.

In 1952 the Supreme Court agreed to hear all five cases collectively. This grouping was significant because it represented school segregation as a national issue, not just a southern one. Thurgood Marshall, one of the lead attorneys for the plaintiffs (he argued the Briggs case), and his fellow lawyers provided testimony from more than 30 social scientists affirming the deleterious effects of segregation on blacks and whites. These arguments were similar to those alluded to on pages 18 and 19 in the first featured document, the Dissenting Opinion of Judge Waites Waring in *Harry Briggs, Jr., et al. v R. W. Elliott, Chairman, et al.* The lawyers for the school boards based their defense primarily on precedent, such as the *Plessy v Ferguson* ruling, as well as on the importance of states' rights in matters relating to education. Realizing the significance of their decision and being divided among themselves, the Supreme Court took until June 1953 to decide they would rehear arguments for all five cases. The

Letter from President Eisenhower to E. E. "Swede" Hazlett
In September 1953, President Eisenhower appointed Earl Warren, governor of California, the new Supreme Court chief justice. Eisenhower believed Warren would follow a moderate course of action toward desegregation; his feelings regarding the appointment are detailed in the closing paragraphs of this letter from President Eisenhower to E. E. "Swede" Hazlett.



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arguments were scheduled for the following term, at which time the Court wanted to hear both sides' opinions of what Congress had in mind regarding school segregation when the 14th Amendment was originally passed.

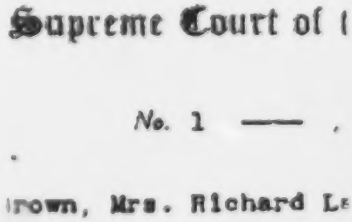
In September 1953, President Eisenhower appointed Earl Warren, governor of California, the new Supreme Court chief justice. Eisenhower believed Warren would follow a moderate course of action toward desegregation; his feelings regarding the appointment are detailed in the closing paragraphs of the second featured document, Letter from President Eisenhower to E. E. "Swede" Hazlett. In his brief to the Warren Court that December, Thurgood Marshall described the separate but equal ruling as erroneous and called for an immediate reversal under the 14th Amendment. He argued that it allowed the government to prohibit any state action based on race, including segregation in public schools. The defense countered this interpretation pointing to several states that were practicing segregation at the time they ratified the 14th Amendment. Surely they would not have done so if they had believed the 14th Amendment applied to segregation laws. The U.S. Department of Justice also filed a brief; it was in favor of desegregation but asked for a gradual changeover.

Over the next few months, the new chief justice worked to bring the splintered Court together. He knew that clear guidelines and gradual implementation were going to be important considerations, as the largest concern remaining among the justices was the racial unrest that would doubtless follow their ruling. Finally, on May 17, 1954, Chief Justice Earl Warren read the unanimous opinion, school segregation by law was unconstitutional. Arguments were to be heard during the next term to determine just how the ruling would be imposed. A little more than one year later, on May 31, 1955, Warren read the Court's unanimous decision, now referred to as Brown II, instructing the states to begin desegregation plans "with all deliberate speed." The third featured document, Judgment, *Brown v Board of Education*, shows the careful wording Warren employed in order to ensure backing of the full Court.

Despite two unanimous decisions and careful, if not vague, wording, there was considerable resistance to the Supreme Court's ruling in *Brown v Board of Education*. In addition to the obvious disapproving segregationists were some constitutional scholars who felt that the decision went against legal tradition by relying heavily on data supplied by social scientists rather than precedent or established law. However, minority groups and members of the civil rights movement were buoyed by the Brown decision even without specific directions for implementation.

Resources

- Dudley, M. E. *Brown v. Board of Education* (1954). New York: Twenty-First Century Books, 1994.
- Forman, J. A. *Law and Disorder*. New York: Thomas Nelson, Inc., 1972.
- Goode, S. *The Controversial Court, Supreme Court Influences on American Life*. New York: Julian Messner, 1982.
- Koch, Kenneth. *Wishes, Lies, and Dreams: Teaching Children to Write Poetry*. New York: Vintage, 1970.
- Lawson, D. *The Changing Face of the Constitution*. New York: Franklin Watts, 1979.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Teaching Activities

Constitutional Connection

This lesson relates to the 14th Amendment, primarily the equal protection clause, as well as to the powers of the Supreme Court under Article III of the U.S. Constitution.

Cross-curricular Connections

Share these documents and teaching suggestions with your history, government, and language arts colleagues.

FILED

JUN 23 1951

VOL 58 PAGE 59

ROBERT L. [illegible]
CLERK, U.S. DIST. CT.

Civil Action No. 2657

HARRY BRIGGS, JR., et al.,

Plaintiffs,

DISSENTING OPINION

vs.

R. W. ELLIOTT, Chairman, et al.,

Defendants.

This case was heard by the [illegible] for the purpose of determining the right of the State of South Carolina, in its public schools, to practice segregation according to race.

The plaintiffs are all residents of Clarendon County, South Carolina which is situated within the Eastern District of South Carolina and within the jurisdiction of this court. The plaintiffs consist of minors and adults there being forty-six minors who are qualified to attend and are attending the public schools in School District 22 of Clarendon County and twenty adults who are taxpayers and some others who are parents of the minor plaintiffs. The defendants are members of the Board of Trustees of School District 22 and other officials of the educational system of Clarendon County including the superintendent of education. They are the qualified electors of the various schools which are situated wholly in the aforesaid school district and which are operated by the various duly sworn officials in this district and which are a control by the various duly sworn officials in this state.

The plaintiffs allege that they are discriminated against by the Defendants under color of the Constitution and laws of the State of South Carolina whereby they are denied equal educational facilities and opportunities and that this denial is based upon differences in race. And they allege that the school system of this particular school district and county [illegible] following the general pattern that it is admitted obtains in

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DOCUMENT 1:

Dissenting Opinion of Judge Waites Waring in *Harry Briggs, Jr., et al. v R. W. Elliott, Chairman, et al.*

National Archives and Records Administration
Records of the United States District Court
Eastern District of South Carolina Record Group 21

For full document and text, go to www.ourdocuments.gov

Tapping into Prior Knowledge

Explain to students that this lesson focuses on a Supreme Court decision made in 1955, one that was written by Chief Justice Earl Warren. Further explain that in the following lessons, they will learn about this landmark decision, including the opposition to it, from original court documents and presidential correspondence. Begin by directing students in a brainstorming activity to assess the extent of their prior knowledge concerning the United States Supreme Court. Instruct students to record everything they think they know about the United States Supreme Court in list form or another appropriate graphic organizer. Lead a class discussion about what they included without making any corrections or clarifications. Collect the brainstorming sheets for later use.

Depending upon the depth of their prior knowledge, lead an introduction or a review of how the Supreme Court works, being sure to examine how the Court decides what cases it will hear.

Analyzing the Documents

DOCUMENT 1:

The Dissenting Opinion of Judge Waites Waring in *Harry Briggs, Jr., et al. v R. W. Elliott, Chairman, et al.* is 20 pages in length, but for purposes of this lesson, the focus is on the final 3 pages. The Briggs case originated in Clarendon County, S.C., and was argued by Thurgood Marshall, counsel for the NAACP. Pages 18-20 of the dissenting opinion describe some of the social scientists' testimony later used by the Supreme Court in the Brown decision. Before reading pages 18-20 together as a class, provide students with background information about the policy of "separate but equal," specifically the *Plessy v Ferguson* decision, which *Brown v Board of Education* helped to make obsolete.

Prompt a class discussion of the document with the following questions:

Upon what evidence did the witnesses base their testimony? What was the judge's conclusion about the acquisition of racial prejudice? What was his opinion? If time permits, a more complete understanding of the opinion may be gleaned by dividing the remainder of the document among small groups of students. Direct each group to read and summarize the main point of its assigned section and share its findings with the class. The following page breakdowns are suggested:

- pages 1-5 background information
- pages 5-7 rationale for hearing the case
- pages 7-8 slavery and the Constitution
- pages 8-9 13th, 14th, 15th Amendments
- pages 9-10 South Carolina laws
- pages 10-12 litigation in other areas
- pages 12-13 litigation in higher education
- pages 13-14 *Plessy v Ferguson*
- pages 14-16 higher education decisions
- pages 16-18 defendants' two witnesses

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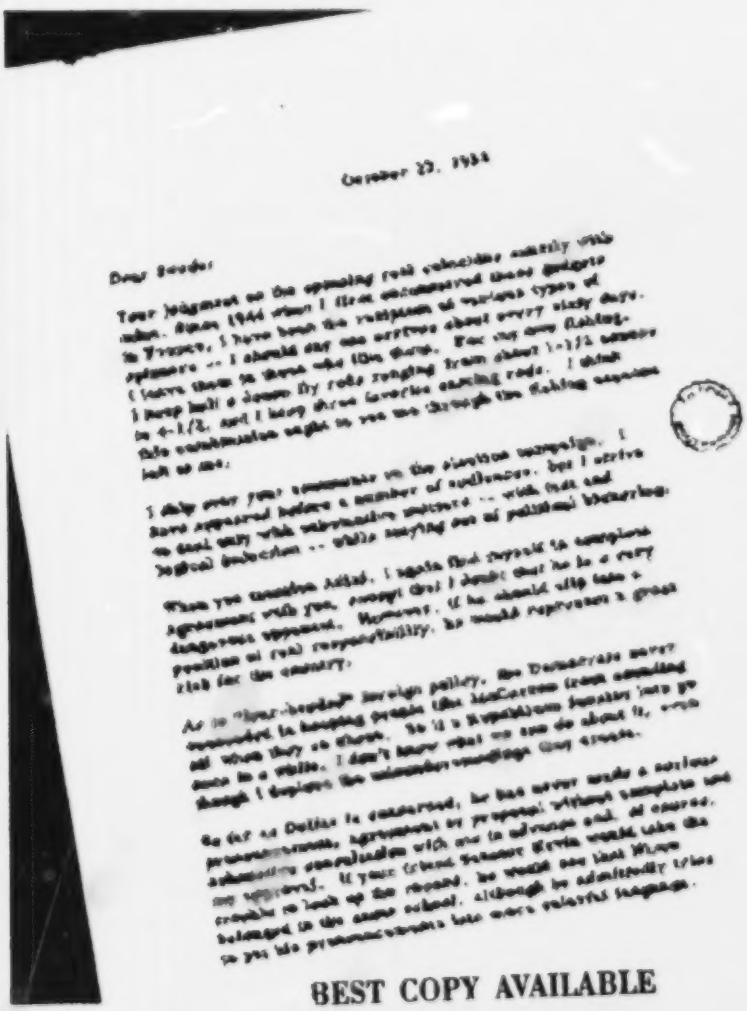
DOCUMENT 2:

The Letter from President Eisenhower to E. E. "Swede" Hazlett touches on several significant topics of the Eisenhower presidency, from the election campaign to Indo-China to the appointment of Supreme Court Chief Justice Earl Warren. Instruct students to read the letter and, while doing so, to compose a list of the various topics Eisenhower responded to in each of the 10 paragraphs. Focus students on the last topic, the appointment of Earl Warren, by asking the following questions. Lead a class discussion of their findings. What seemed to be "Swede's" implication about the appointment of Earl Warren? What was Eisenhower's response? What factors did Eisenhower consider important when making his nomination decision? Why was age a significant determinant? How did Eisenhower characterize the segregation issue? What were his expectations of the Court? Of Warren? Do you think they were met? To extend the lesson, refer to the list of additional topics compiled earlier in the activity. Challenge students to research the context of one of the subjects and to fashion a paragraph out of "Swede's" original correspondence that might have prompted Eisenhower's reply.



October 23, 1954

Dear Swede:

Your judgment on the opening real coincides exactly with mine. Since 1944 when I first encountered those gadgets in Tyrone, I have been the recipient of various types of opinions -- I should say one written about every sixty days. I have them in three and four drawers. For my own fishing, I keep half a dozen fly rods ranging from about 7-1/2 ounces to 4-1/2, and I have three favorite casting rods. I think this combination ought to see me through the fishing season left to me.

I skip over your comments on the election campaign. I have appeared before a number of audiences, but I strive to deal only with substantive matters -- with fact and logical deduction -- while staying out of political bickering.

When you mention Adlai, I again find myself in complete agreement with you, except that I doubt that he is a very dangerous opponent. However, if he should ship into a position of real responsibility, he would represent a great risk for the country.

As to "over-broader" foreign policy, the Democrats were successful in keeping people like MacArthur from sounding off when they so chose. So it's a Republican headache now to do something about it, even though I suspect the misunderstandings they create.

So far as Dulles is concerned, he has never made a serious pronouncement, agreement or proposal without complete and exhaustive consultation with me in advance and, of course, my approval. If your friend Treasurer Byrnes would like to trouble to look up the record, he would see that Mr. Dulles belonged to the same school, although he admittedly tries to put his pronouncements into more colorful language.

DOCUMENT 2:
Letter from President Dwight D. Eisenhower to E. E. "Swede" Hazlett Oct. 23, 1954
Dwight D. Eisenhower Library

For full document and text, go to
www.ourdocuments.gov

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DOCUMENT 3:

Judgment, *Brown v Board of Education*, was issued on May 31, 1955, and has come to be known as Brown II. Using the Document Analysis Worksheet as a starting point, instruct students to study the document and to prepare answers to the following questions: Who was to be responsible for overseeing the decision? What guidelines, if any, were given? Why do you think the language was worded this way? Why would the Supreme Court direct a lower court to enforce its decision rather than handle it directly? Encourage students to share their answers with the class.

Putting the Pieces Together

Brown v Board of Education is the collective title for five separate cases heard concurrently by the United States Supreme Court from 1952 to1955.

- *Oliver Brown et al. v Board of Education of Topeka, Shawnee County, Kansas, et al.*
- *Harry Briggs, Jr., et al. v R.W. Elliott, et al.*
- *Dorothy E. Davis et al. v County School Board of Prince Edward County, Virginia, et al.*
- *Spottswood Thomas Bolling et al. v C. Melvin Sharpe et al.*
- *Francis B. Gebhart et al. v Ethel Louise Belton et al.*

While their goals were the same, each case had unique elements and followed separate paths prior to reaching the Supreme Court. Divide students into five groups. Assign each group one of the five cases and instruct them to independently research the facts for their assigned cases. After research is completed, regroup students so that each group includes at least one student from each of the five original groups. Direct each new group to compile a graphic representation of the main points of the five cases highlighting their similarities and their unique characteristics, as well as their paths to the Supreme Court. Require that each group present its finished product to the class so that the various approaches and findings may be compared.

Creating a Civil Rights Timeline

While *Brown v Board of Education* is considered a landmark case of the 20th century, it was not the first nor the last in a series of cases that addressed civil liberties and equal rights. Construct a classroom timeline of the Civil Rights movement after the Brown decision. Divide students into teams, assigning each team a specific decade (or some other appropriate breakdown depending upo class size). Instruct the teams to research the Supreme Court decisions from 1955 onward that impacted civil rights, the key players, as well as the events, and legislation that followed in the wake of these decisions. Direct them to creatively present their findings on poster boards, one board per team.

Connecting with Poetry

Redistribute students' brainstorming lists collected after the first activity. Direct students to review what they thought they knew about the U.S. Supreme Court at the onset of this lesson and to make corrections or additions to their lists based on what they have learned. Write the following format on the board for students to copy:

I used to think...
But now I know...
I used to think...
But now I know...

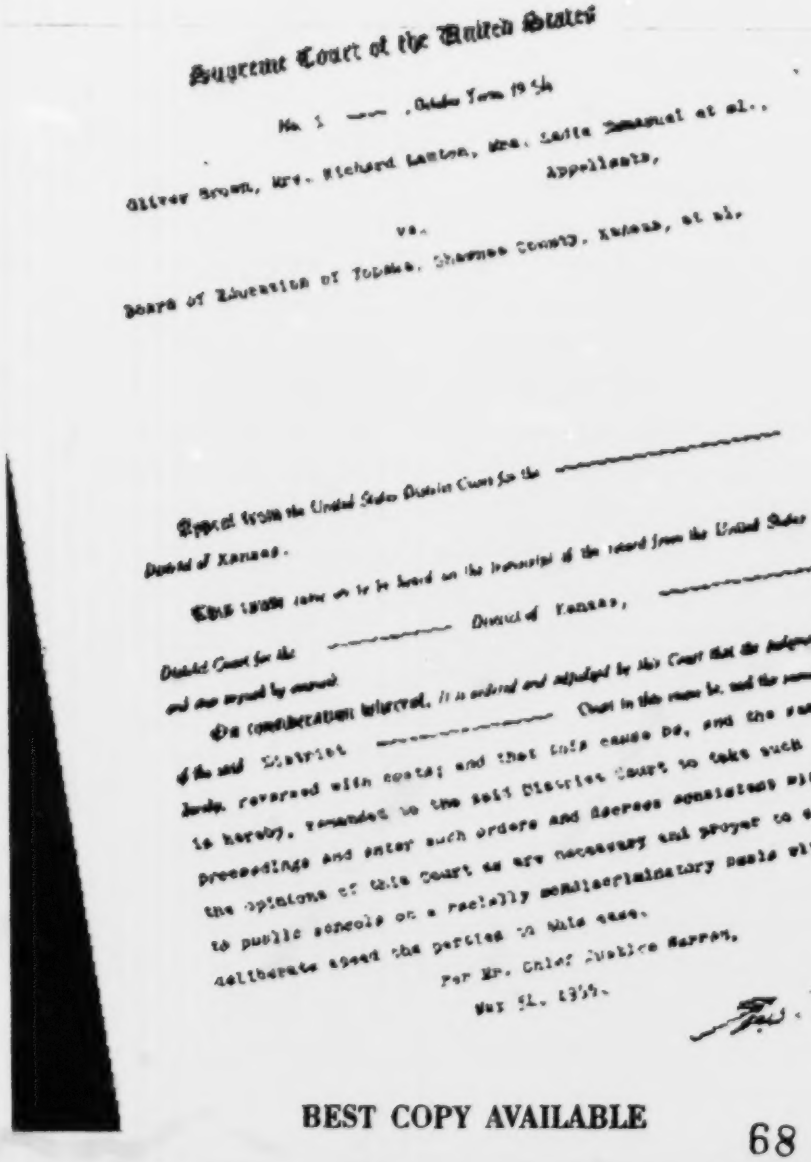
Instruct students first to reflect on what

Supreme Court of t

ideas they might have had about the Supreme Court that have now changed and then to write a poem following the format on the board. Encourage them to write as many pairs of statements as necessary to demonstrate how much their knowledge of the Supreme Court has grown.

Writing an Editorial

Explain to students that the debate about judicial restraint versus judicial activism has existed since the days of Thomas Jefferson and John Marshall. In fact the Warren Court was condemned more than once for "making law" rather than just "interpreting it." Display the editorial pages of several newspapers on a bulletin board or wall and discuss the manner in which the press can address such issues as the powers of the Supreme Court. Divide the class into four sections. Assign students in section one



Supreme Court of the United States

No. 1 ——— , October Term 19 54

Oliver Brown, Mrs. Richard Laurton, Mrs. Lucinda Emanuel et al.,
Appellants,

vs.

Board of Education of Topeka, Shawnee County, Kansas, et al.,

Appeal from the United States District Court for the ———————
District of Kansas.

This cause came on to be heard on the transcript of the record from the United States
District Court for the ——————— District of Kansas, ———————
and was argued by counsel.

On consideration whereof, It is ordered and adjudged by this Court that the judgment
of the said District ——————— Court in this cause be, and the same
is hereby, reversed with costs; and that this cause be, and the same
is hereby, remanded to the said District Court to take such
proceedings and enter such orders and decrees consistent with
the opinions of this Court as are necessary and proper to admit
to public schools on a racially nondiscriminatory basis with all
deliberate speed the parties to this case.

Per Mr. Chief Justice Warren,

May 31, 1955.

DOCUMENT 3:

Judgement Brown v Board of Education

National Archives and Records Administration
Records of the Supreme Court
Record Group 267

For full document and text, go to

www.ourdocuments.gov

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to write editorials supporting judicial restraint; students in section two should write editorials supporting judicial activism. (Encourage students to use examples of decisions made by the Warren Court in support of their positions.) Explain to the remaining groups that their eventual task will be to respond individually to one of the finished articles in the form of a letter-to-the-editor. Assign students in one of the remaining two sections to respond to the judicial restraint articles, while students in the last section reply to the judicial activism articles. (Another option would be to form a fifth group of students and direct them to create editorial cartoons depicting one or both points of view.) Display the letters alongside the articles.

Designing a Book Jacket

The names Thurgood Marshall and Earl Warren will always be associated with the landmark *Brown v Board of Education* decision and the issue of school segregation. However, each man had a prominent career that spanned decades before and after the historic Brown ruling. Explain to students that a local publisher is compiling a new series of biographies of notable 20th-century Americans and is soliciting students' ideas for book jacket designs. Challenge students to work in pairs and design a book jacket for a biography of Thurgood Marshall or Earl Warren. The design should include the following elements:

a. Series title
b. Individual book title
c. Front and back cover designs
d. Summary for inside flap (front)
e. Author information for inside flap (back)

Nominating a New Chief Justice

In his October 1954 letter to E. E. "Swede" Hazlett, President Eisenhower expressed his beliefs about the important qualifications for a Supreme Court chief justice. Review Eisenhower's considerations as outlined in the letter with the class. Ask students to privately brainstorm the qualifications they would consider most important for a chief justice in the new millennium. Encourage volunteers to share their ideas and record them on the overhead projector. Lead a discussion of some possible issues before the Supreme Court in the near future. Next, direct students to pretend it is 2008 and to assume the role of president of the United States. An unexpected retirement has created an opening on the Supreme Court, and the Senate is awaiting a nomination from the president. Citing the second featured document as a model, instruct students to write a letter to a close friend outlining the qualifications they feel the nominee must possess.

The documents included in this project are from Record Group 267, Records of the Supreme Court; the Eisenhower Library; and the Records of the United States District Court, Eastern District of South Carolina.

Available online in the National Archives Digital Classroom at www.archives.gov/digital_classroom.

Adapted from an article written by Mary Frances Greene, a teacher at Marie Murphy School, Avoca District 37, Wilmette, IL.

Lesson Three:
Brown v Board of Education of Topeka, Kansas

CONTINUED

Supreme Court of

No. 1 ——

Brown, Mrs. Richard L

For full documents go to **www.ourdocuments.gov**

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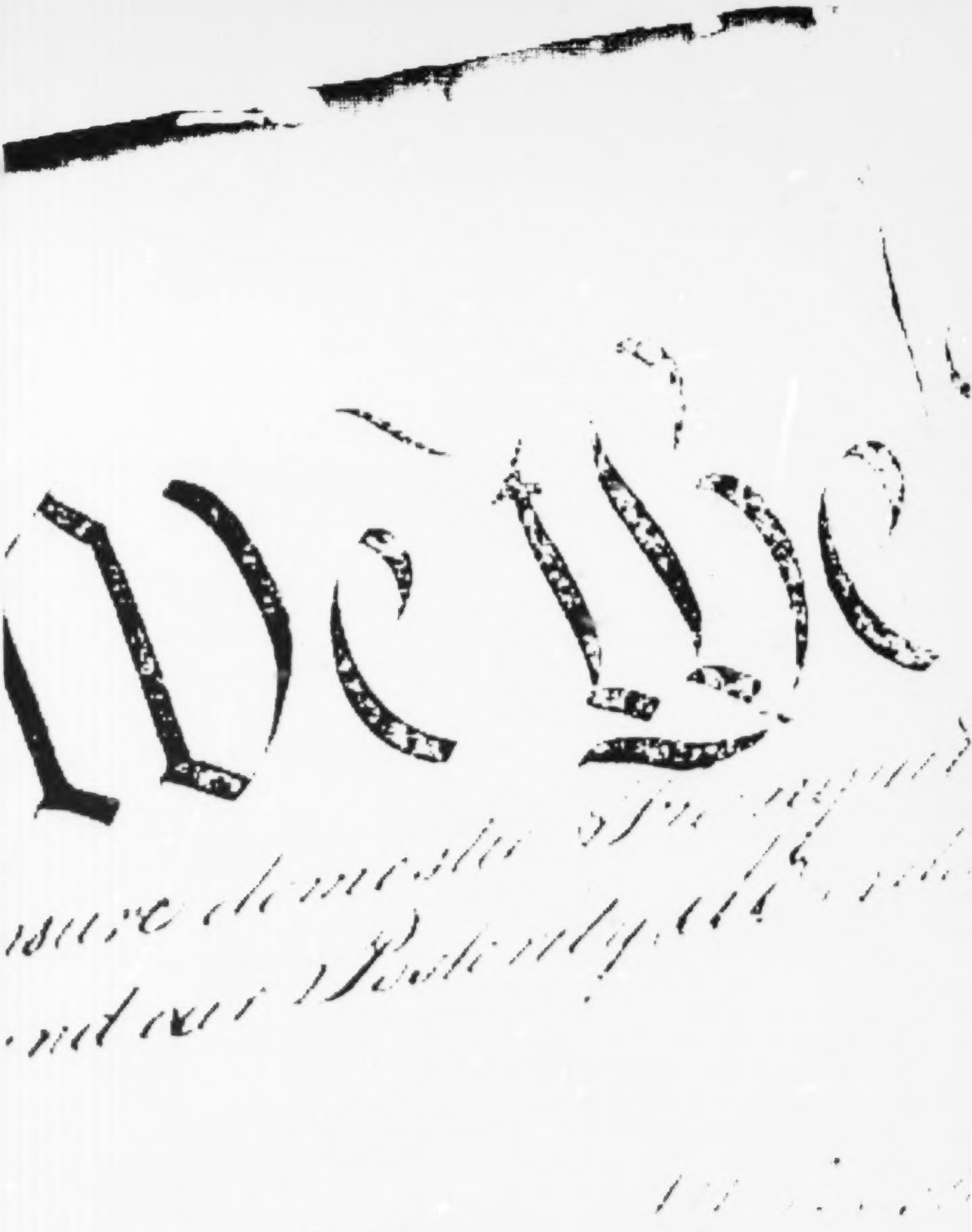

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